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LETTER TO THE HON. H. S. FOOTE, OF THE U. S. SENATE.

*Preliminary Remarks.*

THE following letter communicated for publication by a gentleman of Louisiana, presents the argument from precedents, for the power of Congress over the territories, in so able a manner, we have no hesitation in placing it before our readers for its own sake. We had, indeed, entertained a hope, that this distressing and absurd controversy had come to an end—that Mr. Calhoun and his followers had given up their position as an untenable one, which exposed them to contempt. It was, therefore, with feelings of the strongest indignation and sorrow—indignation at their audacity, and sorrow for the consequences which must fall upon the constituency of such a desperate faction,—that we learned from good authority that it is the intention of Mr. Calhoun to resist the admission of California as a State, with a restriction of slavery as a part of its organic law.

It is to be argued, that *after* the admission of California, she shall be at liberty to exclude slavery, (a right, indeed, not to be gainsayed,) but that the Senate shall not suffer a constitution to pass under its seal which excludes slavery from a state. It is farther said, that a territorial people have no right to form a state government without the assent of Congress, and that they can pass no laws inconsistent with the "rights" of the slave-holding portion of the Union. That as the sovereignty belongs to *every* citizen, and must be exer-

cised by their representatives in Congress, therefore, the people of California have no more right to exclude slavery than Congress has.

That Mr. Calhoun will argue in this strain does not seem improbable, or that much more astonishing feats of logic should be performed by him. Our hope was, that the occasion would not arise, that a spirit of compromise and conciliation would by this time have arisen in the South, powerful enough to dash the projects, and check the mad career, of this assiduous Destroyer. The friends of the constitution must once more buckle on the armor of defence, and meet the enemy at his own weapons, the weapons of argument. If argument cannot save, argument will destroy the Union, for the mischief has been done hitherto, on earth, as it was in heaven, by argument.

A State, we are to be told, must not form itself upon the territory of the nation, until Congress has authorized it to do so. So great is the majesty and power of Congress, a body of free citizens numbering many thousands on a far removed tract of land, and mingled together with a much larger population of foreign adventurers, shall have no power to organize a government for themselves, in the absence of all other efficient government.

So poor, again, and feeble is the authority of Congress, it must not interfere

with the affairs of that people to regulate or control them; it must not, nay, cannot enact such laws as may be deemed salutary and necessary for their prosperity.

So powerful is any one citizen of the United States, he may, notwithstanding any enactment of Congress, move into the distant territory with his slaves.

So weak are a vast number of such citizens assembled together upon the soil of the distant territory, and making there a nation, they have not the power, unless permitted to do so by Congress, to exclude any citizen bringing slaves among them, no matter how injurious they may esteem it to be to themselves as a people.

Again: a people, the Texans, for ex-

ample, may revolt from the State of which they were members, and re-establish slavery as an organic and unchangeable part of their domestic constitution, and may then be admitted to the Union.

And,—a people, those of California, for example, have no liberty to establish for themselves a constitution which excludes slavery: or, if they do so, they cannot be admitted into the Union.

It is indeed to be hoped that no such absurd and disgraceful contradictions as these will be heard in the Senate chamber this winter; and yet, such is the madness of the faction, and such the confidence of their leaders, the event is greatly to be feared.

BATON ROUGE, July 4, 1849.

SIR:

The address of the Southern delegates in Congress is now before me—in speaking of which, you have thought fit to say: "Every statement of which is true beyond contradiction—every argument of which is irresistible cogency—every sentence and line of which are marked with high toned patriotism and devout regard for the Union."

Taking your opinion as conclusive evidence in support of the orthodoxy of the address—the address itself contains three premises which it is my present purpose to notice.

*First.* "Ours is a Federal Government, a Government in which, not individuals, but states, as distinct sovereign communities are constituents—to them as members of the Federal Union the territories belong, and they are hence declared to be territories belonging to the United States."

*Second.* The states then are the joint owners "of the territories," therefore the conclusion—that the Federal Government has no right to extend or restrict slavery "in the territories—no more than to establish or abolish it."

*Third.* "That with few exceptions of no great importance, the south had no cause to complain prior to the year 1819," of the manner the territories were ruled

and regulated by the Federal Government relative to the *extension or restriction* of slavery therein.

From these premises, an argument is deduced, that the Federal Government is *now*, without power and authority to impose any restrictions whatever on "individuals" who may be disposed to migrate with slave property into territories belonging to the United States as joint owners. The first premise, for the purpose of this argument will be assumed *as true*. But this concession necessarily carries with it an admission, that the words—"We the people of the United States," were inappropriately used in the preamble to the Constitution; therefore without a purpose or meaning, and Gen. Washington meant nothing when saying in his farewell address—

"The *unity* of Government which constitutes you *one* people is now dear to you."

Again, in admitting the Federal Government to be a compact between the thirteen original states, and the states to be established, as "distinct sovereign communities," and not a Government of the "people of the United States," and the states were to be the constituents of the Federal Government, and not "individuals," I must leave it for you to assign, by what authority the states invested the Federal

Government with power to interfere with or legislate respecting the personal rights of "individuals," either in the states or territories.

The address dared not assert, that all and every original inherent power over states' sovereignty did not abide exclusively with, and was derived from the *people*, and that states are anything more than creatures of their will; yet according to the address, the states had the power to stipulate what the Federal Government should or should not do respecting individual rights; otherwise the states representing themselves as "distinct sovereign communities" in the formation of the Federal Government, and not as representatives of the people, assumed to confer on the Federal Government a power over individuals which they, the states, could not respectively exercise.

If the states did not derive directly, and expressly from the people, power to form the Federal Government,—the "states as distinct sovereign communities," having the right so to do—and individuals, as well as the states, were *not* to be constituents of the Federal Government—why was it said that power which the Federal Government should not exercise, because not expressly conferred, and which the states could not respectively exercise, should be reserved to the "people?" How can the *people of the United States* exercise any of their collective rights, or powers, but through the Federal Government? A Government, of which they are not constituents!

If this was so, why was it expressed, that the Federal Government might or might not, as it pleased, impose a tax of ten dollars on such persons as the states might think fit to admit by migration or importation, as citizens or otherwise, until the year 1808; after that date, such persons to be subjected to the absolute will and control of the Federal Government?

On such an hypothesis the term "*people*" is without meaning in the Constitution, and the words "*We, the people of the United States,*" together with the ninth section of the first article of the Constitution should be stricken therefrom, unless it may be said that the Federal Government may legislate on the rights of individuals, provided the states respectively, and not in

Congress assembled, may think proper to give their consent.

Such conclusions, deduced from the premises assumed, and the cogent arguments advanced by the address, make the Constitution under the Federal Government nothing more than a political syllogism, to be stated thus:

The states, and not individuals, are the constituents of the Federal Government.

The Federal Government cannot affect the rights of individuals without the consent of the states: therefore, any act of Congress not ratified by the states respectively, cannot affect individual rights.

All this may be admitted, with a further concession, that the several states under the Constitution retain and possess a more distinct absolute sovereignty than they had under the confederation; and the interrogatory embraced in the second premise, "Has the Federal Government a right to '*extend or restrict*' slavery in the territories?" must be answered in the affirmative if the admission in the address be true—"That with a few exceptions the South had no cause to complain prior to the year 1819."

The exceptions are not stated, but the admission is an affirmation that the manner the Federal Government "*ruled and regulated*" the territories to the year 1819, was in conformity with the letter and spirit of the Constitution, and in accordance with the will and wishes of its constituents, the several states, as "distinct sovereign communities."

The territories belonging to the United States as joint owners, and as "distinct sovereign communities," are held by them, either in *perfect* or *imperfect* ownership. This question I will leave with you to determine, and I will cheerfully abide your decision.

If the territories are held by the states in *perfect* ownership, the Federal Government can declare they shall never be occupied; or the states can partition the territories among themselves in kind, and each state dispose of its own portion at its pleasure. If the territories are held by the states in *imperfect* ownership, hence for the use and benefit of the United States collectively, to be disposed of to the citizens of the several states, who may think fit to migrate thither and to be governed

by *rules* and *regulations* adopted by the Congress until they are ready to be admitted as sovereign states into the Union, then the question, "Has the Federal Government a right to *extend* or *restrict* slavery in the territories"—must be determined by the Constitution and the manner the Federal Government carried that compact into practical effect, with the assent of the states as the parties thereto. For I hold that if the Federal Government, from its organization in the year 1789 to the year 1819, governed the territories with *rules* and *regulations* to the satisfaction of the states as joint owners, the acts of the Federal Government, must, by an acknowledged legitimate *rule* of interpretation, be taken as a true exposition of that part of the Constitution, and full proof of the assent of the joint owners. Nay, this is the fundamental *rule*—the fixed political principle—the *political axiom*, and will thus remain, so long as the words—"Governments are established among men, deriving their just powers from the consent of the governed," are found in the Declaration of Independence, and are not expunged therefrom by the pen of the political experimenter or the sword of a tyrant or despot.

The Constitution went into practical operation without either North Carolina or Rhode Island being a member of the Union, with the provision, "that Congress shall have power to dispose of and make all needful rules and regulations respecting the territory and other property of the United States."

The eighth act passed by Congress was entitled, "An Act to provide for the Government of the territory north west of the river Ohio"—the preamble declaring that, "Whereas, in order that the ordinance of the United States in Congress assembled, for the government of the territory north west of the river Ohio, may continue to have full effect, it is requisite that certain provisions should be made, so as to adapt the same to the Constitution of the United States. The territory north west of the river Ohio, was ceded to the United States while existing under the confederation. On the 13th July, 1787, the confederated Congress passed the ordinance referred to in the preamble, as rules and regulations for the government of the territory, the

sixth article being founded on a resolution of Congress adopted 16th March, 1785, as a "*fundamental principle*," between the thirteen original states and the states to be formed out of the territory north west of the river Ohio, and out of any other territory to be ceded by individual states to the United States, that there shall be neither slavery nor involuntary servitude in any of the states, &c.

When on the 7th August, 1789, Congress, under the Constitution, adopted the ordinance of the 13th July, 1787, as a needful rule and regulation for the territory, with the slavery restrictive clause, it was then considered that the ordinance was in perfect union and harmony with the Constitution. It may not be out of place to note, that several members of the Congress of 1787, who voted for the ordinance of 13th July, were members of the convention that adopted and approved of the Constitution, and were members of Congress on 7th August, 1789, when the ordinance was so amended as to "adapt the same to the Constitution of the United States."

It may be borne in mind that the ordinance of the 13th July, 1787, was adopted by Congress as containing needful rules and regulations for the territory belonging to the United States, before the ratification by the states of the amendment of the Constitution which provided that "the powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people;" therefore, unless some rule of interpretation—some fundamental principle be pointed out, whereby the ratification of the amendment necessarily abrogated the act of Congress of the 7th August, 1789, and the powers assumed, if not conferred in that act, were thereby restored to the states respectively, that *act* of Congress and the ordinance thereby adopted, must stand as clothed with the sanction of the Constitution; and the subsequent *acts* of Congress predicated on the assumption of conferred power, to regulate slavery in territories, must stand unaffected by the modern doctrine of "*reserved rights*."

North Carolina had a territorial jurisdiction extending from the Atlantic ocean to the river Mississippi. From the mo-

ment the Constitution went into operation without her consent, she was freed from every restriction placed on her sovereign power by the articles of confederation, and was not bound by any of the restrictions imposed by the Constitution—free to continue and maintain a separate sovereign independent position, or adopt the Constitution of the United States.

North Carolina adopted the Constitution, and if the argument of the *Address* be cogent, the principles of slavery and involuntary servitude recognized by the Constitution, like an aerial fluid, pervaded every part of the state, and Congress was without authority to impose any restriction whatever on the extension or restriction of slavery within the territorial limits of that state.

North Carolina thought otherwise, for the territory, now the State of Tennessee, was ceded to the United States, with the condition expressed, "that no regulation made or to be made by Congress shall tend to Emancipate Slaves." Without any express power delegated to the United States by the *Constitution* for that purpose, Congress accepts the territory ceded by North Carolina, and with the exception of the foregoing condition, places the territory under the rules and regulations of the ordinance of 15th July, 1787, drives out the aerial pervading fluid of the Constitution of the United States, abrogates the Constitution and laws of North Carolina, and thirty thousand people, residing in Tennessee in 1790, are disfranchised as citizens of the United States; they cease to be citizens of a sovereign State; and in one breath are reduced to be but inhabitants of a territory—to be subjected to such rules and regulations as Congress might deem needful.

Is it reasonable to suppose that North Carolina would have exacted from Congress the condition that *slavery* should not be abolished in Tennessee, then a territory, or that Congress would have stipulated that it should not be done, if both parties had not *known* that under the Constitution the Federal Government had the power? None but wise men impute folly to the law-maker. In fact at the very moment Congress determined and acted on the power to regulate slavery in *territories*, they declared, in disposing of the memo-

rial presented by the Quakers, that certain questions relative to slavery were delegated by the Constitution to Congress, but resolved "that Congress have no authority to interfere in the emancipation of slaves or the treatment of them within any of the states."

The last clause of Section second, fourth Article of the Constitution, provides:

"No person held to service or labor in one state under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on the claim of the party to whom such service or labor may be due."

This provision, strictly construed, would limit the question to persons held to service in one *state* escaping into another *state*; as nothing is expressed respecting persons escaping from a *state* into a *territory*, or from one territory into another. No power is delegated to Congress to provide for carrying this provision of the Constitution into effect; and it would seem, in the absence of an express grant of power elsewhere, that it would rest with the comity of the states as "distinct sovereign communities" respectively, and not in Congress assembled, to provide adequate laws for securing to individuals, rights guaranteed by this provision of the Constitution. But could the states respectively, and not in Congress assembled, pass laws for that *purpose* so as to reach the exigency, in either the states or territories? No one will say, one state can pass a law to take effect in another, contrary to the laws of that state! Or that any state law can be made to carry with it power to enforce obedience to its requirements in another state or territory! If each state in the Union should respectively pass exactly the same law, with a view of reaching persons escaping into a territory, how would the law be enforced? Congress holds a negative over all acts passed by a Territorial Legislature, therefore to Congress assembled belongs the exercise of the power.

On the 12th February, 1793, the Federal Government passed an act, embracing territories in the provision of the Constitution relative to slaves escaping from one state into another, conferring ample power on the owner of the slave, whether escaping into a state or territory,

to arrest and take him to the state or territory, where, by its laws, his service is due.

The south has never complained that in this instance the Federal Government exceeded its constitutional powers by interfering with the question of Slavery, either in states or territories. A resolution from a northern member of Congress, to repeal the law of 12th February, 1793, received from the south a spirited and merited rebuke; and an effort was made by southern men, to visit the sin of the mover of the resolution upon the political party to which he belonged.

The only provision of the Constitution that bears directly on the point at issue, is section nine, of the first article, in the following words:

"The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight."

The Kentucky and Virginia resolutions of 1798, which, in another connection will again be adverted to, defined the term, "*Migration of such persons as any of the states now existing shall think proper to admit*," to show the unconstitutionality of the act of Congress, passed 25th June, 1798, entitled, "an act concerning aliens." Thus this provision restrained Congress from passing any law prohibiting a state from admitting foreign white persons before the year 1808; hence the *act concerning aliens*, was a usurpation of power on the part of the Federal Government, therefore null and void. The arguments urged in support of the Kentucky and Virginia resolutions, which constitute the basis of the doctrine of state rights, admit that after the year 1808, Congress would, under the Constitution, possess the power to prohibit the "migration" of foreign white persons into any of the states of the union.

I cannot say that any member of Congress, who signed the Address, is ready to adopt the construction of the Kentucky and Virginia resolutions, and thereby admit that Congress possess the power to put a stop to the influx of foreigners on our shores.

To escape the construction placed on the term "migration," by those resolutions,

the conclusion is forced on us, that it does not and was not intended that it should have any meaning in the Constitution at all; or it had reference to the right of any of the thirteen original states—"states now existing," (in 1787) to admit, by *migration*, slaves from any state in the union, or by *importation* from foreign countries, until the year 1808.

It matters not which construction is the true one, as Congress had, under the Constitution, the power before as well as after the year 1808, to prohibit the "*migration*" of slaves from the *states* into the *territories*, and to prohibit the *importation* of slaves therein.

Nothing in the Constitution renders it obligatory on Congress at any time, either prior or after the year 1808, to pass prohibitory laws respecting the "migration or importation of such persons as any of the states now existing" (in 1787) "shall think proper to admit," any more than Congress was placed under an obligation, to pass and perpetuate "uniform laws on the subject of bankruptcies throughout the United States." But should Congress deem it expedient to exercise the power conferred, the thirteen states—"states now existing"—should be exempt from the provision of any such act until the year 1808: in the meantime leaving the citizens of the *states now existing* (in 1787) at liberty to receive by "*migration or importation*" such persons as they should think proper to admit. But this restriction or privilege did not extend to territories belonging to the United States. The rules and regulations which Congress had a right to "*make*," being qualified by the use of the word "*needful*," left Congress without restraint; and the use of the term, "*states now existing*," clearly points out that an exception was intended to the prohibition limited by the ninth section; and the actions of Congress relative to the "*extension and restriction*" of slavery in the territories, establishes with an unerring precision what was understood to be the true construction of the Constitution on this question.

Georgia, with a territorial jurisdiction extending to the river Mississippi, was among the first states that adopted the Constitution of the United States. According to the principles on which the Ad-

dress was founded, and the arguments adduced, which, it is said, "*have never yet, and will never be refuted,*" the Constitution of the United States, with the potent principles of involuntary servitude infused into its spirit, and unmistakable in the letter, like an aerial fluid pervaded the length and breadth of the state—every citizen therein was a citizen of the United States, and was entitled to all the rights and immunities conferred by the Constitution; therefore they were at full liberty to own slaves, import them from Africa, and migrate with them, and without any restrictions imposed, or which could be imposed by Congress, from the river Savannah to the Mississippi. This right the *citizens* of the State of Georgia enjoyed under the Constitution from its adoption, and had a right to enjoy, until the year 1808, in the *importation* of slaves.

Georgia cedes to the United States all that territory which now constitutes the state of Alabama and Mississippi. This country, by the cession, ceased to be an integral part of a sovereign state. Individuals residing therein, ceased to be citizens of a state, or of the United States, and became inhabitants of a territory belonging, not to a "distinct sovereign community," but to the United States.

On the 7th April, 1798, Congress passed an act for an amicable settlement of the limits of the state of Georgia, and authorizing the establishment of a government in the Mississippi territory." This act authorized a government to be established, "in all respects similar to that exercised in the territory north west of the river Ohio, excepting and excluding the last article of the ordinance made for the government thereof."

This act of Congress, first section, declares, "that from and after the establishment of the aforesaid government, it shall not be lawful for any person or persons to import, or bring into said Mississippi territory from any port or place *without* the limits of the United States, or to cause or procure to be so imported or brought, or knowingly to aid or assist, in so importing or bringing any slave or slaves; and that every person so offending and being thereof convicted, &c., &c., shall pay a fine of three hundred dollars; and that every slave so imported or brought shall there-

upon become entitled to, and receive, his or her freedom."

After the establishment of the territorial Government authorized by this act, what became of the potent principles of the Address? The aerial fluid, the life giving spirit of involuntary servitude—the right to import slaves—all swept away! Slavery, with the expressed consent of Congress, in a *restricted* form, is permitted to exist in the Mississippi territory—and with the consent of the state of Georgia, those persons who had enjoyed all the rights and immunities of citizens of the United States, were disfranchised, and reduced to be inhabitants of a territory. One day a man was permitted to import slaves, and retain them as property; the next day, in doing the same thing, he was liable to be fined three hundred dollars, and the slaves were entitled to their freedom.

The father in Georgia, was permitted to increase his stock of slaves by importation, which his son in Mississippi could not inherit and take home with him.

Was this act of "April 1798—" the act 12th February 1793, respecting persons escaping from the service of their master—the act 1790, accepting from North Carolina a cession of Tennessee, with the consent that slaves should not be emancipated therein by Congress—the action of Congress in disposing of the Quaker memorial at the same session—the act of Congress 7th August 1789, adopting the ordinance of 1787 and making it conform to the Constitution of the United States—were all passed in the absence of any delegated power in Congress to "*extend or restrict*" slavery in territories?

It may be said, all the acts cited were passed during the Federal administration of Washington and Adams, before the resolutions of Kentucky and Virginia rose as bright morning stars, and dispelled the gloom of political ignorance, and by the effulgence of their constitutional light, drove from the councils of the Union, men prone to build up usurpation in the Federal Government, as having *individuals* for constituents, and made way for Mr. Jefferson, and those who believed that the "states as distinct sovereign communities," were the constituents of the Federal Government.

The resolutions of Kentucky, and Virginia, and the voluminous report of Mr. Madison, on the latter, belong to political history. The motive that induced Mr. Jefferson to draft the Kentucky resolution, and prompt that of Virginia, is also a matter of history. The result was the election of Mr. Jefferson, President of the United States, and so far the resolutions "accomplished as an hireling their day." Whatever respect we may entertain for the character, and veneration for the fame of those men, who conceived the Kentucky and the Virginia resolutions, and executed them by casting *reproach* and obloquy on the administration of John Adams, a shadow over *his fame*, and a tarnish on his memory—how much soever, we may admit, that the reproach was merited, and the obloquy just, his fame justly shaded, and justly tarnished his memory, by Congress passing "an act, in addition to an act for the punishment of certain crimes against the United States," and "an act to prevent frauds committed on the bank of the United States"—which acts those resolutions denounced in no measured terms—the fact that those acts were revived by the administration of Mr. Jefferson, deprived *reproach* of its bitterness, and extracts from *obloquy* its sting, throws back the shade from off the fame of John Adams, wipes out the tarnish from his memory, and makes that shadow a resting-place for reproach, obloquy and denunciation—a covert for the Kentucky and the Virginia resolutions, the character, the fame, and the disingenuousness of their authors.

Whether any votary of these resolutions will at this day, adopt, and maintain, that "MIGRATION," referred to white persons seeking an asylum on our shores, which Congress could not prohibit, prior to the year 1808, and that *now* Congress possess the power to prohibit "migration" of white persons absolutely, I will not undertake to say. It is enough for the present purpose to know, that the several acts of Congress, herein cited, escaped the censure and animadversions of the Kentucky and Virginia resolutions. Assuming as I do for the present, that the Kentucky and Virginia resolutions, contain a true exposition of the letter and spirit of our social compact, and that all the violations of the letter and spirit

had been truly exposed, I am warranted in concluding that whatever was not condemned in the administration of John Adams was approved, so far as relates to the power of Congress to "extend or restrict" slavery in territories. This can be done without questioning the sincerity or impugning the motive of those resolutions. If anything was left doubtful by the administration of Washington and Adams, the administration of Mr. Jefferson, acting on the reserve rights of the "states, as distinct sovereign communities," determined in favor of the power being in the Federal Government to control the question of slavery in territories—if, in fact, it did not go a step further.

On the broad principles assumed by Mr. Calhoun in his arguments in the Senate of the United States, and on which the Address was founded, property recognized and guaranteed by the Constitution, will be secured to the owner and protected by the Constitution without the aid of municipal law. Property is the creature of *natural and municipal* law, and when a right to any kind of property is recognized by both, that right will be everywhere respected, without the sanction of the Constitution. But in the case of slavery, where *person* and property is found united in the same object—natural law respecting the person, and municipal law claiming the property—and the Constitution has to determine the paramount right, the Constitution, as an organic law, unaided by municipal law, is a dead letter.

The Constitution recognizes the existence of person and property under the sanction of municipal law, and this law must emanate from a sovereign *state*, recognizing the Union of person and property in the same object, or from a law of Congress over a territory where, by the Constitution, its acts are the paramount municipal laws. The Constitution no where, in express terms, recognizes the existence of slavery in territories, unless subject to such rules and regulations as Congress may deem needful. The right is derived, inferentially, from the principle that a man cannot be deprived of his property without his consent, expressed or implied, unless it comes in conflict with laws which are not bound to respect such property. The only provision of the Constitution which autho-

rized, or even required Congress to protect property in slaves, is where the municipal law had stamped the seal of property upon persons. Persons who had not been brought within the jurisdiction of state laws were not subject to their influence.

A citizen might employ his means in the traffic of slaves to be sold in any state admitting slavery, but was forbid to sell them in foreign countries. By act of Congress of 28th February 1803, slaves, which the Constitution was bound to recognize as property, if first landed in South Carolina, or any other state which admitted slavery, could not be permitted to land in a free state; and if smuggled on shore, the vessel was forfeited, and a fine of one thousand dollars imposed for each slave.

The Constitution recognized in the principle of slavery, a union of person and property;—as persons, they were to form in part the basis of representation in Congress; as property, their service was to be secured to their masters by municipal laws, and if they escaped beyond the influence of such laws, they were to be restored. In territories, the joint property of free and slave states, nothing was, nothing could have been inserted in the Constitution, rendering it obligatory any more on Congress to *extend or establish* than to *restrict or abolish* slavery therein—hence the question was left to be regulated by Congress. Such were the expressed views as entertained by the administration of General Washington, and John Adams—by the implied views of the Kentucky and Virginia resolutions, and the expressed views acted on by Mr. Jefferson, who owed his election to those resolutions.

On the 30th of August, 1803, France cedes to the United States, Louisiana, according to a modern discovery extending west to the Rio Grande, from the mouth of that river to its source, including all the state of New Mexico east of that river, and reaching from the gulf of Mexico to the Pacific Ocean. Throughout the length and breadth of this extensive territory, the principle of slavery and involuntary servitude existed, and the inhabitants were at liberty to import slaves from any part of the world; this territory was paid for by the common "*blood and treasure*" of the Union. The United States stipulated, "that the inhabitants of the ceded territory

should be incorporated in the Union of the United States, and admitted as soon as possible, according to the principles of the Federal Constitution, to the enjoyment of all the rights, advantages, and immunities of citizens of the United States."

If the argument of the Address be cogent, the principles of the Constitution, with its aerial pervading fluid, at once infused itself throughout this territory, and indelibly stamped therein the principles of involuntary servitude; and the citizens of the several states were left free to migrate with their slaves into Louisiana, and possess and use them as property; and Congress was without authority to impose on them any restriction whatever.

The Federal Government, with Mr. Jefferson as the chief Magistrate, with a Congress, influenced by the spirit of the Kentucky and Virginia resolutions, on the 26th of March, 1804, passed "an act erecting Louisiana into two territories, and providing for the temporary government thereof."

The territory of Orleans embraced all "that portion of country ceded by France to the United States under the name of Louisiana, which lies south of the Mississippi territory, and of an east and west line to commence on the Mississippi river at the thirty-third degree of north latitude, and to extend west to the western boundary of the said cession." The tenth section of the act is in the following words. "It shall not be lawful for any person or persons to import or bring into said territory from any port or place *without* the limits of the United States, or cause or procure to be so imported or brought, or knowingly to aid or assist in so importing or bringing any slave or slaves. And every person so offending and being thereof convicted before any court within said territory, having competent jurisdiction, shall forfeit and pay for each slave so imported or brought, the sum of three hundred dollars."

"It shall not be lawful for any person or persons to import or bring into said territory from any port or place *within* the limits of the United States, or to cause or procure to be so imported or brought, or knowingly to aid or assist in so importing or bringing any slave or slaves which shall have been imported since the first day of May, one thousand seven hundred and ninety-eight into any port or place within

the limits of the United States, or which may hereafter be so imported from any port or place without the limits of the United States," under a fine of three hundred dollars.

"And no slave or slaves shall directly or indirectly be introduced into said territory, except by a citizen of the United States removing into said territory for actual settlement, and being at the time of such removal, *bona fide*, owner of such slave or slaves; and every slave imported or brought into said territory contrary to the provisions of this act shall thereupon be entitled to, and receive his or her freedom."

Was this act constitutional or unconstitutional? An affirmative answer will be decisive of the question in favor of the power being in Congress.

First, this section prohibits the importation of slaves into Louisiana from *without* the limits of the United States, before the year 1808, because Louisiana was a territory, and not one of the thirteen original states—"States now existing" (in 1787), when the Constitution was formed.

Second, slaves were prohibited from being taken into Louisiana from *within* the limits of the United States, imported therein after the first day of May, 1798, because on that day a Government was organized for the Mississippi territory, and by act of 7th April 1798, importation of slaves into said territory was prohibited—and because Louisiana, not being one of the original thirteen states—"states now existing," Congress could prohibit "*migration*" of slaves therein at any time, and in any manner.

Third, slaves should not be introduced by any but actual settlers, and not for merchandise, because Congress had power to make all needful rules or regulation for the government of territories.

The question may be asked, if Congress under the Constitution possess such unlimited power over slavery in territories, why did not Congress *abolish* slavery in Louisiana? Because by the treaty, Congress was under an obligation to "*maintain and protect*" the inhabitants "*in the free enjoyment of their liberty and property.*"

If it be said this act was unconstitutional, it will go to prove that the advocates of state rights are no more vigilant in protecting the Constitution than those who

professed to represent "the people of the United States."

If it be said that the Constitution secured, without any action of Congress, everything *needful* in the premises, why was Congress authorized by the Constitution to "*Make all needful rules and regulations respecting territories?*"—As well might it be said that there exists in the United States uniform laws on the subject of bankruptcies, because the Constitution provides that "The Congress shall have power to establish uniform laws on the subject of bankruptcies throughout the United States."

There is one argument, not advanced in the Address, but deducible therefrom, which I will not undertake to answer; because it cannot be *answered*, to the conviction of him who urges it. It is this, that the politicians at this day understand *better* the meaning of the language used by the framers of the Constitution, and what were the powers intended to be conferred on the Federal Government, than those men did who used the language, and conferred the power.

If you know of any Latin maxim, that can express my admiration for our cotemporaries, please proclaim it aloud!! so the world may hear it.

This act of 27th April, 1804, originated in the Senate; how it passed that body I cannot say, not having the Senate Journal; but the House Journal is before me, and not a whisper of complaint was heard from a single voice against the 10th section of this bill. Objections were urged against other portions of the bill, and it passed the House by 66 yeas against 21 nays; not a vote from either of the states of Georgia, North Carolina, or South Carolina, being recorded against it.

Thus it may be seen, that by the unanimous consent of all the states in the union—influenced by the principle that "*ours is a Federal Government—a Government in which, not individuals, but states, as distinct sovereign communities are the constituents*"—in Congress assembled, (the only mode pointed out by the Constitution by which their wishes could be made known,) and without a murmur of complaint against the act, heard from any where, or at any time, to this day—Congress, in the year 1804, so understood the

Constitution, and the powers delegated by it to the Federal Government;—that although a *citizen* of Georgia or any other state might remain therein with his slaves, and continue to increase his stock from foreign countries, by importation, until the year 1808, and might migrate with them from one state to another, and retain such slaves as his property, or sell them as merchandize; yet, if he removed into Louisiana, (territory of Orleans,) and took with him slaves imported into Georgia or any other state, after the first day of May, 1798, or carried slaves into said territory for sale, no matter when or where born, or when imported into any of the states, or attempted to import slaves into said territory from any port or place *without* the limits of the United States, all such slaves became entitled to their freedom, and every person concerned in so doing, was liable to a fine of three hundred dollars.

In view of this act of Congress, one of three conclusions must be forced, as a conviction of truth, on the people of the south. First—that the authors of the Address knew nothing of the existence of this act:

Second—they knew the act was constitutional *per se*: or,

Third—that the act was purposely kept out of view by the Address, knowing that the act was passed by a Congress having “*not individuals but states as distinct sovereign communities their constituents,*” with an unanimity that made it the act of the states respectively, and entitled it to all the force of an organic law.

No one will deny to Congress the power to repeal the several acts of the Federal Government, prohibiting the importation of slaves into the United States from foreign countries, and re-establish the slave trade.

The act of 2d March, 1807, authorized by the 9th section of the first article of the Constitution prohibiting the importation of slaves after the first January, 1808, was not *absolutely* prohibitory, for the slaves imported were forfeited to the United States, and ordered to be sold as slaves: while by this act, which Congress had an unquestionable constitutional right to pass, an attempt was made on one hand to “*restrict*” slavery, on the other, slavery was “*extended,*” by the sale of all Africans declared to be forfeited. Thus it was with

the five hundred slaves found on board the Brig *Josephus Seconda*, which were sold in New Orleans in the year 1818.

The act of 20th April, 1818, changed and modified the act of 2d March, 1807; and left it for the state or territory where the vessel on board of which slaves might be found should first touch, to provide by adequate laws, whether persons found on board, and who were intended to be held as slaves, should be so held and sold into bondage, or receive their freedom.

By this act slavery would be “*extended and established, restricted and abolished,*” as the vessel might, by either force or accident, touch on the west or east side of a river.

If the Federal Government, having for its constituents, “*not individuals, but distinct sovereign communities*” could doom an “*individual,*” who, by the laws of nature and the place of his birth, was entitled to be free, to perpetual bondage, because force or accident cast his fate on *this* instead of *that* side of a river; it is competent for Congress to say that that bondage *should* or *should not* be established and fixed in territories—the joint property of their constituents.

It was by an act of Congress 2d of March, 1819, that the laws of the states and territories, which the act 20th April, 1818, authorized to be passed, were repealed; and all negroes, mulattoes, and persons of color, brought from foreign countries into the United States to be held as slaves, were prohibited from being sold, and ordered to be sent back to Africa.

I deem it useless to say any thing about the Missouri compromise of 1819–20. No *principle* was involved in that heated controversy—it was a wrangle about abstraction. The *principle* as to the right of Congress to regulate slavery in the territory ceded by France to the United States, was determined by the act 24th March, 1804—determined in the manner already stated, so far as related to that part of the cession embraced by the limits of the territory of Orleans. The residue of the cession, including Missouri, was placed under the government of the Governor and Judges of the territory of Indiana, who were invested with the power “*to make all laws which they may deem conducive to the good government of the inhabitants there-*

of." They were not prohibited from abolishing slavery in that territory; and when it is considered that Indiana, which was under the government of the *Law-makers* for Missouri, was free territory, slavery having been abolished therein—it would not have been a stretch of power in them if slavery had been abolished in Missouri.

I hold, that if Congress possess the power to prevent slaves which were brought into the United States after first May, 1798, and in the states the property of their citizens, from being taken by such citizens into Louisiana; and had a right to declare all such slaves to be free; or a right to prevent citizens of the states from taking slave property into Louisiana and there dispose of it as they might think proper, Congress possessed the power to say, that slaves, whether born in Africa or in the United States—whether held for servitude to their masters, or for sale as merchandize, should not be taken to Louisiana at all. For in the person of such slaves as were declared to be entitled to their freedom, slavery was not only restricted, but absolutely abolished, in Louisiana—their masters divested of their property without compensation, and subjected to a fine of three hundred dollars.

Mr. Jefferson saw, or thought he saw, that the spirits which excited and fermented the Missouri question, were engendering an element of strife to be thrown into the political atmosphere at future Presidential elections. The question of voluntary or involuntary servitude, traced by a geographical line, and not on *principle*, was to take place of patriotism; and no fitness in an individual for the *Presidency*, as a lover of the *whole* union would be required. Looking into the future, a cloud, potent with the "blackness of despair," dimmed his philosophic mind—chilled his patriotic spirit; and the thoughts of disunion alarmed his soul, as the sound of a "*fire-bell by night*." To say Mr. Jefferson was, at that time, opposed to the restriction of involuntary servitude by the Federal Government in the territories, would be contradicting every previous expressed opinion of his life, charging him with *duplicity* in approving the bill restricting slavery in the territory of Orleans, and placing the residue of the country ceded by France, under the government

of the Governor and Judges of the Indiana territory, invested with plenary powers to abolish slavery if they should think fit so to do, and would be contrary to Mr. Jefferson's subsequent opinion, that a liberal construction of the Constitution would apply the proceeds of the public lands to effect a gradual emancipation of slaves, and that, "nothing is more certainly written in the book of fate than that these people are to be free."

If Congress had any right over the question of slavery in Tennessee ceded by North Carolina—a right to say, slaves which might be held as *things* and property in Georgia, should not be *things* and property, but *persons free*, in the Mississippi territory ceded by Georgia to the United States—a right to say, that slaves brought into the United States after the first day of May, 1798, although recognized as property legally vested in the citizens of the several states, *should be free*, if taken into Louisiana—it is hard to find in the Address a cogent reason against a similar right being exercised by the Federal Government in New Mexico and California.

I hold, in view of the Constitution and the several acts of Congress cited, and against which the Address does not complain—instances where and when the principles now involved and controverted, were solemnly determined by the "*states as distinct sovereign communities*," and in the highest and only mode by which their sovereign *will* and *wishes* could be made known, and in the only language by which their *will* and *wishes* could be expressed—that the UNITED STATES IN CONGRESS ASSEMBLED, possessed a constitutional power to "*extend or restrict*" slavery in territories of which the states were joint owners.

The Federal Government possesses ample powers to permit and protect, by adequate laws, slavery in the territories of the United States. And on the other hand, the Federal Government possesses ample powers to prohibit slaves from being taken into the territories.

The Federal Government possesses absolute power over the subject matter. How it *should* be exercised, the spirit of concession and compromise by which the Constitution was formed clearly indicates. How the power will be exercised, depends, whether Congress will be influenced by a

love for the peace of the Union, or an inordinate ambition.

If the "migration or importation," of slaves can in any manner or at any time be prohibited by Congress, reason and the fitness of things should, at all times, regulate the exercise of the power. It should be exercised to "insure domestic tranquillity," and not to determine an abstract principle. The code of national honor and a nation's interest may prompt a nation to war with nation; but among members of a great political family it should unite them in a common intent; and they who give will be more blessed than they who receive.

I have, my dear sir, conceded, for the sake of this argument, the premise assumed in the *Address*, that "ours is a Federal Government in which not individuals but states, as distinct sovereign communities, are the constituents." The concession is made because it might be deemed temerity to deny that the authors of the *Address* were not more wise than their fathers were.

The question—"Has the Federal Government a right to extend or restrict slavery in the territories"—to which the *Address* has given the emphatic answer no, will be submitted to the consideration of the American people, with the Constitution, and the acts of the Federal Government prior to the year 1819, to form their own answer.

With the criminations and recriminations, which men in high places make against each other, the American people should take no interest other than to believe that whatever they may say *against* each other is *strictly true*. Inordinate and an unhallowed ambition has brought our once happy, and always beloved Union, to the verge of a precipice, with *alarm* of disunion ringing in our ears, the facts for disunion staring us in the face. Voices from north to south are sounding throughout the land, calling on the people in tones of thunder, and with *wrath*, to *mark* the men who did it!! while the really guilty are arrayed in gladiatorial attitude, with seared *eyes* and ghastly countenances, as if the ghost of Banquo or a traitor was before them, menacing each other in heated defiance, and each to the other saying—

"Thou canst not say I did it: never shake  
"Thy gory locks at me!!!"

If there was a man in the United States that did not know that the plan for the annexation of Texas was gotten up for the sole and express purpose to obtain a right of way for the conquest of a portion of the Mexican territory, which Mexico was not willing to sell; it was because he *could* not, or was *unwilling* "to discern the signs of the times." If the line of boundary had been fixed at 21° 30", so as to include Tampico, on the gulf of Mexico, and Mazatlan, on the Pacific Ocean, the execution of the plan would have filled the original design.

The unanimity of spirit in which the *plan* was conceived and designed, ought not to be disturbed, by a failure of the *execution* in part. A horde of brigands descending from a mountain fastness, and capturing an eastern caravan, could not, in dividing the spoils, set a more un-"illustrious" example among master spirits.

The annexation of Texas was conceived, designed and determined to effect the purpose, and bring about the present state of things. The consequences were foreseen and forewarned by men who had the true interest of the country and unaffected love for the Union at heart. How those warning voices were heard and heeded, the *Address* clearly shows by holding up to us New Mexico and California as apples of discord. Perhaps if Mazatlan had been included in the cession of territory by Mexico, the Union would have been saved from the present wrangle; for it was as well known in the year 1844, as in 1849, that San Francisco was situated north of thirty-six—thirty.

How a northern man, who could see in the constitution a clear and indisputable power, conferring on the Federal Government a right to annex Texas, adding thereby twenty-two thousand slaves to our black population, and so far increasing slave representation in the council of the union, and who perceives a clear and indisputable right to annex the Island of Cuba, with a half million of slaves; and at the same time can see in the constitution a clear and indisputable *negative*, inhibiting Congress from extending slavery in the territories, or in any manner legislating for the people in territories;—or how any southern man who looks into the constitution, and sees how the parties thereto, claimed and exer-

cised the right to rule and regulate slavery, in territories—in Tennessee, Mississippi, Louisiana, during the purest administration of the Government—and could find a power to annex Texas, a foreign, independent, sovereign state, excluding therefrom slavery north of  $36^{\circ} 30''$ , and guarantee in advance slavery in new States, to be created south of that line, and can at the same time see in the constitution a clear and indisputable *NEGATIVE*, prohibiting Congress from extending or restricting slavery in New Mexico, and California, is solvable *only* by the *fact* that they look through glasses that concentrate rays of political light to the point of their own, and not to their country's "*divine destiny*."

"We will shoot at folly as it flies."

Again; how statesmen can at this day deny to Congress the right, in any manner, unless demanded by imperious necessity, to legislate respecting individual rights in the territories, or interfere with territorial legislation, with the facts standing on the statute book, that Congress never doubted the right to negative acts of territorial legislatures, and to govern the territories by "*all needful rules and regulations*,"—modern statesmen can only answer by imputing folly to their fathers and claiming to be more wise than they were. Once more—how southern men, who sound the alarm that our institutions are in danger, from an increasing hostile opposition to them from the people in the free northern states of the Union, and at the same time believe that both the Union and those institutions would be rendered safe, by annexing the Canadas, I will leave for others to solve. It must result from a latent fact that heaven has granted to them a peep into the future, by an elevation above their fellows, in a region of light that dims the vision of the millions who, at some not far distant day, may be called on to cater for a northern or southern Cataline.

In the annexation of Texas, in which men from the north and south were found united in head and heart, slavery was *established* and *extended*, *restricted* and *abolished*. Extended and established between the Neuces and Rio Grande, south of thirty-six—thirty, over a country that the face of an Anglo-Saxon never looked upon unless he saw it from the mountain's height, or passed it in an adventurous chase after a fortune. A right of possession or do-

minion he never had. Establishing slavery among fifty thousand free men, who by their own laws had abolished it. With the express consent of the south, slavery was abolished north of  $36^{\circ} 30'$ , and no reason can be urged, on the *principle* that annexed Texas, why that line should not extend to the Pacific ocean, as a demarcation for the extension and restriction of slavery. The north cannot, with a show of justice, or with any pretension of love for the peace and tranquillity of the Union, refuse to the people of the south a right to migrate with their slaves into New Mexico and California south of  $36^{\circ} 30'$ , and whilst under a territorial government, protect them by adequate laws. Neither should the south, because San Francisco is north of  $36^{\circ} 30'$ , and Mazatlan is not ours, be willing to rend the Union into fragments to establish an abstract principle—of more recent discovery than the magnetic telegraph—that *voluntary* and *involuntary* servitude, is an ærial fluid; and if it be not controlled, and determined by laws of a sovereign state, on the principle of abstraction, the Constitution of the United States determines, without the aid of legislative action, that involuntary servitude is the fixed subtil principle which can negative an expressed act of Congress, either extending or restraining its influence.

That the United States will eventually extend to the Isthmus of Panama, absorbing the whole of Mexico, among the knowing ones is no longer a disputed question. That which was *treason* in Aaron Burr is the destiny, the fixed policy of the nation.

We have consulted a DELPHIC ORACLE.

The equivocal answer loudly given—"The ANGLO-SAXON shall give *laws* to North America"!!! has made our Eagle mad. We have forgotten the more certain oracles, "Amity with all nations, entangling alliances with none." "Democracy and love of country end, where the spirit for conquest begins."

We are pursuing a wayward course, heedless of the Delphic's low muttering whisper:—"The blood of the ANGLO-SAXON flows through veins under the ægis of the lion; and ere we are aware of it, our onward tread may arouse the lion from his lair. The Russian bear may be whetting his tooth for the strife; and the hyena's morbid appetite scenting the prey."

The Address is an appeal to the people of the south, warning them against dangers seen and unseen; directing the public attention to a source whence danger is least apt to flow. Being a Virginian by birth, my ancestors breathing Virginia's republican air from the first landing at Jamestown—their blood purified by its influence until it flowed in my veins, entitles me to the claims of a southern man. Nor has a residence of thirty years in Louisiana tended in anywise to weaken that claim; therefore, I can possess no other than southern feelings, appreciate none other as being paramount to southern interests. As dear as I value our southern rights, they are far less valuable than our glorious Union; the Union such as it was, such as it ought *now* to be, and such as I *hope* to see it when misrule shall give place for a true appreciation of civil liberty, and a love for *own* country. I will at all times be found ready and willing to defend our southern rights against the invasion of either a domestic or foreign foe, if in doing so I can be protected under the ægis of the Constitution.

The south must be kept in the right; the Address assigns to her a wrong position—a position which disarms the south of the moral influence and suasion secured in the Constitution, and by the compromise on which it was based.

Concede to Congress the power, and consequent responsibility of adjusting this loathsome question, and the task will be undertaken by men sound in judgment and discreet in action, with an eye single to the end proposed. But so long as the power is denied to be in Congress, so long will men be sent there for the avowed purpose of disputing the exercise of any such right; and nothing can or will be done.

Whether it ought so to be or not, it is nevertheless true, that national principles are controlled by a nation's caprice or interest. And it is the interest of every *individual* in the Union that this vexed question should be adjusted on points of interest exclusively, rather than bring on disunion on abstract principles. I ask your pardon, sir; I perceive that in this paragraph, I unintentionally have given to individuals a supposed interest in the adjustment of this question; while the Address denies "individuals" to be constituents of

the Federal Government. I fell into this error, which I had rather apologise for than correct, by inadvertently considering that the address was from members of Congress to "individuals"—their constituents; when in fact, according to the Address, "States as distinct sovereign communities," are their constituents; and to states and not to "individuals," the Address was intended. Forgive the inadvertence, and admit the power to be in the Federal Government, where those who framed that Government thought it to be undoubtedly fixed; and although at this time the Federal Government, unfortunately, is under the control of individuals, let Congress, composed of such individuals, secure by adequate laws, to themselves such property as they may wish to take into the territories, while they remain under territorial governments; and their personal interest will secure the rest.

"Let the Government take care of itself."

Why do the southern delegates in Congress interest themselves about the interest of "individuals," when that right is denied to the Congress assembled? Why an appeal to the people of the south, when they are not the constituents?—"individuals" having nothing to do with the Federal Government?

Pardon the episode! Let Congress partition new Mexico and California among the several states in proportion to the BLOOD and TREASURE expended by each, and let each "*state as a distinct sovereign community*," provide a government for its own portion, AND THE PEOPLE WILL TAKE CARE OF THEMSELVES.

—

TO THE PEOPLE OF THE UNITED STATES.

Servitude, either voluntary or involuntary, has always existed, in all time and in all places. Whether the man who labors voluntarily, or the man who labors involuntarily for his daily bread, can be rendered the most happy, while he is doomed by necessity to labor, the casuist and the Address leave us uninformed, and we never will know, so long as cupidity or penury is the task-master.

WE, THE PEOPLE OF THE UNITED

STATES—we, for whose benefit this Government was formed and adopted: the UNITY of which *constitutes* US ONE PEOPLE,—must beware of wolves that come to us in sheep's clothing. We must remember that “eternal vigilance is the price of liberty,”—that our greatest enemies are those of our own household—that no servitude is as abject as that which vigilance for our safety imposes—no liberty so worthless as that under the guidance of misrule. Necessity impels to voluntary labor; whether cupidity will prefer voluntary or involuntary servitude, will always depend on a calculation of dollars and cents. No man will invest his means to secure involuntary servitude, if voluntary can be obtained at a cheaper rate; hence no man will migrate with his slaves where their labor would be less valuable than free labor. Slavery

was abolished in Massachusetts from interest, and not from principle; and it is really the interest of the north, that involuntary servitude should continue to exist at the south. It is in the power of the south, having the evidence in her possession, to convince the north that such is the truth. Let this be done, in a spirit of fraternal regard, and every man, whether he resides at the north or in the south—whether he is doomed to voluntary or involuntary servitude—whether the blood of the Anglo-Saxon, the Mauritanian, or the African flows through his veins, will be able to say, THE UNITY OF GOVERNMENT WHICH CONSTITUTES US ONE PEOPLE, IS NOW DEAR TO US.

With great respect,

I am your fellow-citizen,

J. M. ELAM.

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## ANDERPORT RECORDS.—NO. 1.

REGINALD, SON OF ANTHONY.

(Concluded.)

### CHAPTER IV.

It was difficult to say whether Laurence or Matilda was most to be pitied. Yet woman must ever have the advantage in bearing grief, be its nature what it may. She is less selfish than man; and though, by the allotment of Providence, she doubtless receives more than an equal share of the sum of human suffering, disinterestedness does not lose its reward. The daughter will watch with sleepless anxiety over the declining strength of a parent. As she notes the hourly sinking pulse, she feels the blood in her own veins flow more languidly. As the aged frame totters and is bowed down she lends the support of her own blooming youth; and if the staff furnished by filial piety can only soften the fall instead of upholding, if it bend and sink and suffer beneath its self-assumed burden, the heart looks on, distressed indeed, yet pining for no relief. The wife takes to herself, as her privileged portion, every care which racks the mind of her husband, every disappointment which plunges him in despondency. Does disease bear away his boasted strength and leave him helpless, the devoted partner robs herself of that passive energy which is her peculiar possession, and cheerfully supplies his want at her own expense. A mother's bosom, more expansive still, finds itself capacious enough to contain the distresses not of one additional being only, but of many. Her children and her children's children partake of a fount of precious sympathy which seems exhaustless.

Yet the grief which is felt on another's account is not the grief that slays—such is Heaven's bounty on the heavenly duty, charity—and the very organization which makes woman devoted to alleviating the pains of others, gives her comparative immunity from the anguish of personal sor-

row. Thus Matilda Chesley, though her strongest affections were so rudely blighted, did not immediately droop and wither by the stroke. There was, perhaps, an unnatural calmness in her demeanor, yet it was not accompanied with the dangerous wasting of settled melancholy. She discharged her household duties with unflagging fidelity, and testified as warm and active an interest as ever in the welfare and happiness of those around her.

With Seymour the case was different. Patience was a word whose import he did not understand. He could struggle with manly vigor, to avert an impending calamity, but the moment which revealed the irrevocable fate, instead of bringing rest, only goaded him to efforts which were the more violent that he knew them to be fruitless.

Matilda was fortunate in another respect. She had a friend and confidant to turn to—one of her own sex and age. Emily Marshall heard her story with undisguised horror. She expressed the most fervent detestation of the being who could take pleasure in leaving behind him a legacy of torment for two innocent hearts. All the records of crime she declared could not furnish a parallel to such wanton malignity.

Notwithstanding the intensity of Matilda's suffering, she could not join in this undistinguishing blame of Reginald Ander. It is possible—for she was a woman—that she could not altogether hate one who had been actuated, even in his most indefensible and cruel actions, by love for her. The very extravagance and inhumanity of his jealousy testified to the sincerity of his passion. There was another reflection which the ingenuous girl would have been less unwilling to own—the generous relief which he had furnished to her father's urgent necessities. She had not the

heart, indeed, to speak in defence of Reginald, yet she listened to the reproaches which were heaped upon his memory without joining in them.

After Emily Marshall had, in this way, given vent to the first thoughts excited by the contemplation of Ander's conduct, her active brain next bestirred itself to find some way to extricate her friend from the toils in which a skill that seemed demoniac had so fearfully entangled her. She was not long at a loss.

"I have it—I have it," she said; "there is not room for a single doubt."

The excitable young lady did not stop to meditate upon her conclusion, but, calling for her horse, was presently on her way to Mr. Chesley's. Matilda, notwithstanding her acquaintance with Emily's temperament, was somewhat surprised at an animation which appeared to denote so little regard for the state of her own feelings. She was soon relieved from her astonishment.

"Matilda!—I've just thought of it, and have come immediately to tell you. How foolish you and Seymour, and we all have been. This Reginald Ander must have been deranged—no sane man could possibly have acted as he did. Hence—(don't you seize the inference at once?)—it is plain that Seymour is not bound by any engagement made to him."

"How can you prove him to have been insane?" said Matilda, with a mournful smile.

"Prove?" echoed Miss Marshall, "why his conduct shows it—think of his wickedness—his unfeeling, atrocious cruelty—"

"All this certainly tends to show a bad heart," replied Matilda; but I fear it is very consistent with a sound head. Your theory would people the lunatic asylums, but it would rob the jail and the penitentiary."

"Would it?" said Emily, with a disconcerted air. "Still I can establish my point. If there is anything that incontestibly distinguishes the absence of reason, it surely is labor without a purpose. Now, what purpose could Ander possibly have had in view? In what way can he be benefited by keeping asunder you and Seymour?"

"Ah, my dear Emily," said Miss Chesley, "you make sad work at an argument.

How many persons whose sanity is never called in question, strive to attain ends which cannot benefit them? Believe me that if you take the clear perception of an object, and the resolute, unwavering, systematic prosecution of all the means leading to it for a sign of rationality, then never was there human being more certainly rational than Reginald. More successful than most others, he has reached his aim: even death, which is thought to sever the best laid schemes, has not prevented the accomplishment of this man's purpose."

"Well, if that be true," rejoined Emily, "if he was not a madman he must have been a monster. On no supposition can you be bound. Look upon the matter, Matilda, as if you were not concerned in it, and judge whether it can be right and pleasing to Heaven that the happiness of two living human beings should be utterly destroyed because a man, now in his coffin, entertained during his life time the wish that it should be so. It cannot be that the beneficent Ruler of the universe would bestow such a privilege upon tyranny. Suppose that I were in your place expecting to drag out all my remaining days in sorrow and disappointment—would you not believe it in your power to disenchant me from the invisible spell and set me free in the world—free to confer happiness and to receive it? How fantastic, then, would seem to you the scruples which should restrain me, a voluntary captive, in my horrible bondage!"

"Yet," answered Matilda, with an effort at cheerfulness, "what is there so very horrible in the present situation of affairs? Are you the one to affirm that life offers not a prospect of contentment to a batchelor nor a maiden? I am sure there are many gallant young gentlemen who would receive great encouragement to hear such a confession from the charming Miss Marshall."

Emily was half inclined to pout.

"I see plainly enough," she said, "that I am wasting my pains—if you don't love Laurence, and are so glad to get rid of him, why I have nothing more to say. Let me tell him this and I am confident that, if he has the least remnant of spirit in him, he will be ready to dry up his own tears very quickly, and probably to find a mistress who takes somewhat less pleasure in the distress of her lovers."

"You are unkind," said Matilda, "most unkind to upbraid me thus. Certainly, if there ever was woman ingenuous in the acknowledgment of her affection, I have been—indeed I fear I have spoken only too frankly and unreservedly to Laurence Seymour. Did you but know, Emily, how much my love for him has cost me heretofore and does cost me now, you would rather comfort and console than chide. Tell Laurence what you please, however, if by so doing you can make existence more tolerable to him. Perhaps it would be better that he should think ill of me—I must be to him as one dead: let me, then, appear unworthy of so much as a remembrance or a tear."

Emily answered eagerly, "I mean, indeed, to see Seymour, but not for the purpose of saying anything like this be assured. I will see him, because it is he who made the engagement, if there be one. He is the person to be argued with and persuaded, not you. If Laurence can make it consistent with duty to throw himself at your feet and beg you to become Mrs. Seymour, I am sure no discreet friend will be wanted to convince you of the propriety of saying yes. So good morning to you—I trust that my next visit will bring pleasanter weather."

"What!" said Matilda, "in such haste! Do you design to seek him immediately?"

"Not so," replied Miss Marshall; "but I want time to think over what I must say. You have taunted me with being a poor logician, and I must not lay myself open to the charge a second time. Trust me, I shall be able, in the course of a few days, to get my ideas all arranged in most admirable order. See what a profound and satisfactory casuist I shall become. Pa has Taylor's Doctor Dubitantium, and I mean to study it all through—though I am inclined to suspect that it is not half so entertaining as his sermons—especially those on the Marriage Ring, sweetest Matilda."

Off she darted at the word, leaving her friend somewhat encouraged, in spite of sober reason, by her vivacity and contagious good spirits.

It was more than a week before she had the opportunity which she desired of meeting Seymour. Whether the interval was entirely occupied in the laborious preparation which she proposed to herself, may be

doubted, yet she entered upon her task with a firm conviction, at least, of the goodness of her cause, if not with entire confidence in the reasons which she had collected to support it.

Miss Marshall was, by instinct, enough of a rhetorician to know that the way to make the most of one's materials is first to arouse the feelings, and when they have, in some degree, dimmed the vision, to seize the chance and urge forward whatever solid arguments there may be in reserve. So she commenced her attack in something like this fashion:

"Poor dear Matilda is in a wretched way."

Seymour started.

"Yes," continued Miss Marshall, "you cannot conceive how she suffers—indeed it's a wonder how she survived the shock."

"What shock?" said Seymour.

"How can you ask? Do you not know that she has been loving you with all her heart? If I thought it was a secret in her keeping, Mr. Seymour, depend upon it I should not betray it. She has told me everything. I know how she almost died when she believed that duty to her father required her to marry Reginald Ander; I know how she was restored to health with a suddenness, like the work of a miracle, when Ander gave her a full unconditional release; and, finally, I know how she is now every moment sinking since you have left her."

"Good Heavens!" groaned Seymour, whilst the convulsive movement of his features showed what a tumult of passion raged within.

"I pity you with all my heart," thought the lady, "but the medicine, though bitter, will do you good." Then she went on to say—

"Matilda is now, alas, more wretched than ever she was in the gloomiest day last fall. Indeed it is wonderful, Mr. Seymour, that life and reason have endured such a blow as you inflicted."

"A blow that I have given!" ejaculated Laurence; "you mean the felon stroke of that accursed Ander."

"No, sir," said Emily, "I refer to your cruelty."

"Miss Marshall, explain yourself. What have I done? I would die to save her a single moment's pang."

"If you had a heart made of the same stuff as a woman's, Mr. Seymour, it would need no reminder. Did you not come to the poor girl without letting her dream that any obstacle stood in the way of your union with her? Did you not declare your attachment plainly and unequivocally? Did you not tempt her into a confession of her own in return? And did you not, after all this, say to her that what you had uttered was a mockery—that your actions were a mockery—that the very glance of love which you had bent upon her was a mockery? Did you not extend the cup of life and happiness to a famished and dying one, and the instant that her lips were about to press the brim, did you not dash it into fragments upon the ground? Throw cold water upon the heated rock, and you rend it—think you that a woman's heart is harder than granite to endure unharmed a revulsion, to which the change from fire to ice bears no comparison?"

"But what could I do?" cried Seymour, "what could I possibly do. She wrote to me—ought I to have refused to obey the summons?"

"I do not say it," responded Emily.

"And, after I was once in her presence, could I help pouring forth my assurance that her condescending and most noble advances were not misunderstood nor undervalued?"

"You would not have been a gentleman to have withheld such an acknowledgment," said Emily, approvingly.

"When my tongue had said so much, was it in man to be able to restrain it from uttering more—from declaring the ardor of my pent up passion?"

"I have nothing to blame in that, either," observed Emily.

"What was there wrong, then?" said Seymour, impetuously. "Could I, when that wretched hag brought me the letter, when I saw Reginald Ander's own handwriting, when I read the words which withered every muscle, which drove the marrow from my bones—could I then persist at the moment when all power to move was stricken from me? What should I have done?"

"I'll tell you, sir," said Emily; "you had gone too far to retreat, you had voluntarily connected the existence of another

being with your own. After what had been said by you, and by Matilda, your first and only thought should have been for her."

"But consider, I beseech you," urged Seymour, "what the only alternative was—to act as I have done, or—"

"To marry her," interrupted Emily; "I understood it perfectly."

"Yes, marry her," said Seymour, with bitterness, "marry her—and be fore-sworn."

"This last consideration," rejoined Miss Marshall, "be it worth what it may, concerned only yourself; and your only care, as I have said, *ought* to have been for the welfare of her who had entrusted herself to your protection."

"How think you," retorted Seymour, "would her welfare have been cared for by uniting her indissolubly to a dishonored caittiff?"

Miss Marshall answered, readily, "She need not have known anything of your engagement, nor, consequently, of its violation. Her happiness would have been secured;—whether at the expense of your own peace or not is a question which should not have been involved in the matter. As it is, you have made a sacrifice of her upon the altar of over-nice punctilio; and how much is your misery lessened by the reflection that you have made Matilda miserable, also?"

"Over-nice punctilio!" repeated the gentleman, with an expression of great surprise.

"Yes," replied Miss Marshall, hardily, "if you had really been placed under a substantial and reasonable obligation, I should not think so severely of your conduct. But when I see that you have overwhelmed Matilda with distress merely to gratify a fanciful scruple, I confess I have little patience."

"Is it nothing?" exclaimed Seymour; "does religion use her most solemn tones to enjoin veracity—does the law devote all its cumbrous machinery to the maintenance of good faith—and yet is a man at liberty to regard his plighted word as a thing to be adhered to or falsified, just as convenience may suggest?"

"Neither religion nor law," said Emily, with emphasis, "bind you to the observance of a contract like that made with Reginald Ander."

"The law of *honor* does compel its observance."

"No, Mr. Seymour, true honor never enjoins aught that religion refuses to sanction;—is it not a sin akin to idolatry to set up for reverential homage a code of ordinances purer and more refined than that which the Creator has deemed sufficient for the frail children of Adam? You are disposed to carry the creed to its full extent—would you take the life of another or throw away your own for the sake of maintaining a fantastic point of honor? It is necessary, it seems, that the gentleman who has won a woman's affections in disregard of the law of honor may, by breaking her heart, wipe off the stain with which his own conduct had sullied the hitherto immaculate purity of his escutcheon. A worthy cause, indeed, to demand such an expiatory victim! What, though the spot be invisible to ordinary eyes, if it be detected by Mr. Seymour's nice optics, if it disturb the serenity of his demeanor in the presence of *petit-maitres* and crack-brained followers on subjects of the phantom-tyrant, honor, right fortunate it is that the blot can be removed at so trivial a cost as the life of Matilda Chesley. How valuable the end, how small the price!"

"Is it possible," said Seymour, "that I can be mistaken? Does not every one look at the matter as I do? Can others discern no obligation resting upon me? Were it so, how gladly would I defer to their opinion—how gratefully would I fling away my own judgment and seize theirs, grasping with it life and hope and happiness! What an exchange to give up Despair for an earthly heaven. Yet why tantalize myself with thoughts worse than vain! the cord that binds me is no thread of gossamer, but a rigid chain of iron."

"It is a chain, Mr. Seymour, heavy and oppressive indeed, but it has its defective link. Make but one effort of a manly reason, and you are free."

"Prove this to me," exclaimed the Englishman, "and I will reverence you henceforth as never wise Solomon was revered. You have a hearer ready to be convinced. Every strong emotion lashes me onward; remove but the bar which obstructs the road, and your task is done. Yet what single argument can you bring

to overthrow that fearful, immitigable covenant?"

"In the first place you had no right to make such a contract, no right to limit and confine Matilda's affections. Who gave either Ander or you the power to say whom she should or should not love, and when you could not control her affections, it was wickedness to attempt to disappoint and mock them. Suppose she was attached to your rival, could you be justified in defeating him by means through which she also must be a sufferer?"

"I should scorn such baseness," said Seymour.

"Suppose then she loved yourself, and the case is equally strong and clear. There is doubtless a difference in the manner in which it affects you—but none as regards her. The substitution of one object for another does not lessen the sacredness of her affections."

"But I did it to save her," pleaded Seymour.

"The reason is insufficient," answered the accuser calmly.

"Why insufficient?" persisted the other. "Assuredly you do not mean to assert that the preservation of her peace was not worth any effort: still further I think must you be from maintaining that her peace would not have been irrevocably lost the instant she wedded Reginald?"

"It was presumption," said Miss Marshall, "to pretend to speak in her stead. The decision was one which she had an inalienable right as a woman to make for herself. Let all your race act upon such a principle and what would become of us in the world? No, you had not any authority to gainsay the choice that she thought proper to make."

"I admit," said Seymour, "the truth of your general maxim, but this was a peculiar case. Matilda desired to release herself; she was restrained by certain powerful considerations; these considerations did not bind me; hence it was not only justifiable but enjoined upon me by duty to interpose."

"One little thing is lacking, Mr. Seymour, to make your justification complete. It was lawful, indeed, to render her a service, but not in an affair like this, without her consent. Perhaps, however, she was consulted before you ventured to form a

contract in her name—tell me, is it so?"

Laurence was abashed by this searching interrogatory, and could only stammer out, "There was no opportunity—I could not—delicacy forbade."

"Delicacy indeed!" said Miss Marshall, taking up the word. "A wondrously delicate lover you were, I must acknowledge. You thought she had rejected you, and did not dare come into her presence, yet you scrupled not to assume authority to interfere in her most delicate concerns."

"Yet, otherwise, she would have married Reginald."

"And what was it to you if she had?" continued Miss Marshall. "Had you been her father, or brother, or near kinsman, you would have had an apology for intrusion, but a lover, I trow, has no right to regulate our affairs for us. Any man who chooses may be a woman's lover, and at this rate you would bless her with a legion of masters. What liberty of choice would be left us, I pray you?"

Emily became quite excited by her theme. The curls shook about her lively face with an impressiveness almost equal to that of the ambrosial locks of Homer's Jove, and the forefinger of her right hand was raised, as if to give additional point and effect to the sharp words which issued from her lips. The unfortunate gentleman had no courage to resist the storm, and she continued—

"And has the result been so excellent as to incline you to further efforts of the sort? Suppose Matilda had thought proper to marry Mr. Ander, how much worse off would she have been than your most kind and judicious interference has made her? I am sure that were I in her place I would be glad enough to get rid of my forlorn state at the cost of a year or two's weeping widowhood. Widows, I believe, Mr. Seymour, are allowed the privilege of thinking and acting for themselves—a desirable one it is too. Let it even be that Mr. Ander had lived, she would at least have had a husband, and that it seems is more than you are disposed to allow her. No, no, I see plainly enough what consideration induced the shrewd bargain. You deemed your chance of obtaining Matilda Chesley so slight that it might well enough be relinquished for the satisfaction of bar-

ring off another creature from the hay in the manger. Yet you had far better have trusted to a woman's prudence and discretion; she might have discovered a better way to escape the marriage—at all events she could not have adopted a worse."

"Do not judge me so harshly, Miss Emily," said Seymour. "I have done wrong in making the agreement, I know, but consider that it was not my proposition. Ander took advantage of the excited condition of my feelings, and tempted me into it."

"That brings me to the end of my argument," answered the lady. "You have admitted that the covenant was one which the parties had no right to make; the consequence is clear, it is a nullity."

"I think not," said Laurence Seymour, after a pause. "If I am the sufferer by my own act, that does not release me. What I have promised is merely forbearance—the continuance of a state of things already existing—had I pledged myself to any active conduct, the case would be different."

"What conduct more active could there be, Mr. Seymour; are you not killing poor Matilda as fast as you can?"

"There is another and stronger principle," urged Laurence; "I may not take advantage of my own wrong. I prevented the threatened marriage—by unjustifiable means it may be, yet I ought not to reap benefit from those means by the violation of my engagement."

"Yet you say Ander wickedly tempted you."

"He did."

"Then" added Emily, "you are in no way bound to keep faith to him. He knew of material circumstances of which you were unaware—thus the contract was a fraudulent one, and cannot be obligatory."

"It is easy," said Laurence, "to pile up specious reasons, but there is a moral instinct within us which is the best guide. I feel that what you urge me to would involve a breach of honor. I will not depart from my word—I cannot do it."

"There it is again," exclaimed Miss Marshall, impatiently, "you will not obey reason, but blindly cling to a false, mistaken pride. Your guide is not conscience—not that instinct implanted by the loving-kindness of the Creator, but a delusive

substitute, a weed of rank growth, whose germ truly is human sinfulness, but which has been nourished and reared by the errors of education and by unchristian and barbarous habits of thought. Place the matter in what light you will and the same judgment must be formed. If Reginald Ander were at this moment living, a word from his mouth would be sufficient to release you—would it not?”

“Assuredly.”

“Farther; if the departed had power to communicate with the living, and he were even now to give you a discharge, the result would be the same.”

Seymour did not immediately answer. His lips were firmly compressed, the muscles of his throat were rigid, and each cheek became suddenly pale and hollow, whilst his eyes rolled wildly. But he speedily recovered himself sufficiently, if not to speak, at least to nod in answer.

Emily was somewhat frightened, but proceeded. “As it is, however, Ander has no way of holding intercourse with you. How can we be certain then what his sentiments are? Suppose him ever so much inclined to set you free from your promise, what can he do? A terrible barrier is between; you and Matilda are here enduring intolerable suffering—and owing to what cause? Merely to his incapacity to give information of his desire that you should be relieved. Death dissolves his power to do good; it ought to dissolve his power to do evil. The moment that removes the master, annihilates the thralldom; you are at liberty to walk forth from the prison which the stroke of Heaven has shattered—and there is no man to question or stay you.”

“Ah!” replied Seymour, “death does not annul a contract. If I owe a debt, the decease of my creditor is far from cancelling it.”

“Unquestionably,” said Miss Marshall promptly, “for that is a right which is inheritable. If, now, Reginald’s heir may represent him as a party to this covenant, you must look to that heir for release. The example which you yourself bring forward shows most plainly the true character of the contract you have entered into. It binds you to the performance of no beneficial act—your debt is not one, the payment of which can advantage the cre-

ditor—all that it stipulates is harm, injury, wickedness.”

Seymour answered with agitation, “I am the most unfortunate—nay, if you will have it so, the most guilty of beings, but there is no help for it. If I have committed a wrong, it is irremediable. I have forged my own fetters and shackles it is true, but I cannot break them; nor may the promise once given, lose its force by the act of him that makes it. Cease then, I beseech you, Miss Marshall, to goad the tethered ox.”

“This is folly, Mr. Seymour; do not give way to passion, but consider it calmly. Exert yourself to bring up some tangible principle to establish your position.”

“I have one,” he replied, “I have a principle, plain, weighty, and pertinent. Departure from this life may release from a duty, since it takes away the ability to perform it, but it cannot rob one of a *right*. Were Reginald alive I could not break my promise to him—nor can I now that he is dead.”

But contemplate, for a moment,” said Emily, “the absurd and horrid consequences to which such a doctrine would lead. I have seen somewhere the story of a tyrant who, on his death-bed, in order to make his subjects grieve his decease in spite of themselves, summoned a number of the best and most influential citizens of his capital into a large public hall, or one of the apartments of his palace, and gave orders to his guards to the effect that the departure of breath from his body should be the signal for commencing an undistinguishing and merciless massacre of the whole assembly. Now that man was a lawful king, his guards owed him obedience, and so long as he lived could not neglect his commands save at the peril of their lives. It was not their place to examine his motives, but to obey promptly and implicitly. The king died; did his right to their service cease? According to your principle it did not, and they were bound to execute his edicts, however atrocious, in the same manner as in his life time. The guards—hard, savage, furious, as they were, interpreted their duty differently, and I believe history has never called them foresworn and perjured because they disobeyed the wicked order of their deceased lord.”

“I could answer you,” said Laurence,

"but I am sick at heart. I feel little disposition to prolong a discussion which can produce no fruit. Though you were to array against me the authority of every divine from St. Austin to Tillotson, you could not change my conviction. It rests on a foundation which argument cannot reach."

"If this be the case," answered Emily, not a little mortified, "it is indeed useless to say more. Yet if you cannot reason, I suppose you can feel. Carry with you, then, the knowledge that your previous indiscretion, joined to your present punctilious adherence to a void engagement, is draining the life-blood from the veins of Matilda Chesley. Go—since you will go—and think of this."

Laurence Seymour did think of it. The potent arrow which Miss Marshall had launched with a good intention, pierced his breast and made a wound which rankled and festered, and threatened, consequences far different from those she expected.

The energetic and friendly young lady was visited by troubles of her own. Mr. Marshall, about a month before Reginald's death, had left Anderport for Charleston. During all the time that had since elapsed no tidings of him reached his family. Finally they wrote letters to various individuals in Charleston; the answers brought the information that he had not been seen in that city. This was a painful surprise. Conjecture was at fault to account for his disappearance. Emily bore up bravely, and maintained that all would yet come right, but as the days of suspense succeeded each other, even her spirits sank. Matilda became in turn the comforter, and suggested many a bright hope. Mr. Marshall might have found business to take him in a different direction, or the packet in which he sailed might have been compelled by stress of weather to put in at some intermediate port, or he may have chosen not to stop at Charleston but to proceed further, &c., &c. Emily listened eagerly, but the words rather soothed than assured her.

Mr. Marshall's mysterious detention excited much concern beyond the limits of his household; yet the good people of Anderport might have been excused for not indulging in a sorrow which it was possible time would prove causeless—especially

when we consider what there was going on in their midst to engross the attention of every one. Their race-course had long been the boast of the inhabitants of the village and vicinity, but it was now to have the signal honor of being the scene of contest for two of the most noted horses in the South, Caliph and Gallant Grey. The day of decision was close at hand when the boy who was to ride the Gallant Grey was taken with a colic, and in less than twenty-four hours thereafter expired. If this occurrence had followed instead of preceding the race, it would have been of little importance, but as the matter stood, it caused much difficulty. The horse was not more remarkable for fleetness than for his vicious and untameable disposition. Many apprehensions were consequently entertained by those interested in his success, that the Gallant Grey would not prove victor in the trial.

Among those most concerned was Gilbert Jordan, the gambler; and no one manifested more activity and earnestness in looking out for another rider who could be trusted.

"I know of but a single chance left us," he said, at length. "There is only one fellow I would dare trust the horse to, and that is Buck Weeks. He's rather over weight, but we must make him do. Where is the chap? I have not seen him lately."

Some one answered—

"Why, I believe Buck has been taken with a fit of religion, or something of the sort. I heard him say that he had done with a wild life for good."

"Pshaw! never mind that," said Jordan, "I warrant I can coax him. Whereabouts does he live?"

"In a shanty just across the first branch on the road to Shenkins'."

"I'll have him, then, in a trice," said the gambler, throwing himself on a horse.

After fifteen minutes smart riding he reached the wretched little hovel which had been described to him. Buck Weeks was sitting in the door, busily hammering upon a last.

"What's to pay?" exclaimed the visitor. "You are not turned shoemaker, surely?"

"Yes, I am, though," responded Weeks. "I want to get shed of all my bad ways, and try to earn a decent, quiet livin' by

working. It's 'bout time my manners was mended, I judge, for they promise to be past patching before long."

"This is all well enough," said Jordan, "but, in the first place, you must ride one race for me."

"Oh, I'm too heavy—a long ways too heavy."

"Let me take care of that, Buck—I'll bring you right."

"But still I can't do it," said Weeks. "I've rid my last race—the track isn't to be touched any more by me."

"You'll do this little thing though, Buck, I am sure. You cannot mean to stand at such a trifle when it's to oblige Gil. Jordan. And what in the world's to hinder?"

"I've promised faithful not to."

"Who have you promised?"

"Mr. Ander, what was."

"A dead man!" rejoined Gilbert Jordan. "Oh, you may afford to break your word this once; he'll never know it, or if he does, will not trouble you about it."

"I'm not certain of that," answered Buck Weeks, "if there's any folks what turn to ghosts, I reckon he's like to be one of 'em."

Jordan laughed and said,

"Well, I tell you what, Buck, if he goes to pestering you any, just send him to me—I can manage a live man easy enough, and I think it can't be so much worse to take a tug with a dead one. It's natural to suppose, too, that ghosts are not extra stiff in the knees."

Still Weeks appeared unpersuaded: he shook his head and replied:

"I promised him and I must stick to it."

"Nonsense!" exclaimed Jordan.—"What's got into you that you should make so much of your word, all of a sudden?"

"Why you know how I tried to keep him from getting to you at Reveltown?"

"Yes," said the gambler.

"And how he got wet as a rat in fording the big creek."

"You've told me before about that, too."

"Well," continued Weeks, "the cold that he caught then was what killed him. About six weeks or such a matter before he died, he saw me walking along by the gate and gets into a talk with me, and you

may depend you never heard a preacher go on as solemn and affecting. He said his being to die was my work, and asked if I didn't feel as if I ought to do him a little sort of favor to pay. Some how or other before that he'd got me to crying, and when he says this, I spoke up that I'd do anything requested. 'What I want, then,' says he, 'is for you to change your way of life. Give up drink, and cock-fighting, and betting, and all kinds of wickedness, and take to some respectable trade.' He told me, too, to read the Bible; and at the last he said that perhaps he would see me again to find out whether I minded my promise. I haven't seen him since, and I've a queer notion that if I get into any badness he'll come yet to make me toe the mark. So you see, Mr. Jordan, it's quite impossible that I could ride any race."

"Pshaw, pshaw!" said the other, "I'll be bound you've made promises to hundreds of persons before now, and broke them as easily as you would break a stick of candy. What was young Ander more than other people that you must mind him so particularly?"

"That's a puzzle," answered Weeks, "that rather bothers me as much as it does you. I can't tell for my life what it was that made him so, but it is a fact he had a gift of twisting folks about as he wanted. He never asked for anything but he was sure to get it."

"I can explain that without the least trouble," said Jordan; "he was rich, and there's nothing but can be bought."

Buck Weeks replied thoughtfully:

"Money helps mightily, I know, but there's many rich folks, and I'd back Reginald Ander (that is, in course, supposing he was alive,) against the whole of them. A man could have come and offered me a hundred pounds, providing I should quit liquor, and so forth, and I'd have jerked it back to him and grinned under his very nose. Now, Mr. Ander hadn't given me a penny—he hadn't even paid me for showin' him the road, because I didn't take him in the appointed time. Still I'm going to mind his orders."

"See here, Buck," said Jordan, "it's not worth while to talk any more—you must just ride this once and then you may quit for good. I have staked every shilling I'm worth on Gallant Grey. If that

horse beats, I'm a rich man; if he loses, I am *ruined*. There's nobody now in Anderport who can give him any sort of a chance. He's a hard horse to manage right—but if no one else can do it, you can."

"You are correct there, certain," answered Buck, proudly. "I have been on wild and wicked horses before now."

"I know that," said Jordan, "and therefore it is you can't refuse to come out and save me from being broken. I once undertook a much more difficult job for you."

"You did," exclaimed the ci-devant cobbler, throwing away his tools, "and I'm in for it now to help you what I can. When I think, though, of Mr. Ander, I'm kind of a-feared—still your time comes first, and then I'll mind him."

Jordan carried his prize directly to Anderport, and the first thing done there was to consult the scales. The gambler's face grew long as one weight after another was laid on to balance the diminutive person of the race-rider.

"Why, Weeks," he said, "you have surely grown fatter since you have changed your life. Goodness brings laziness, I reckon."

"How much has to come off of me?" asked the youth with a rueful presentiment of the regimen that was to follow.

"I won't frighten you," answered Jordan, "by naming the number of pounds, but it's more than one or two, you may be satisfied. The time is plaguey short, besides—that's the mischief—only a week from Thursday. We must make brisk work. All this hair of your's may as well be clipped off in the first place. I really believe you have as much weight on your head as the man had that the parson told me about—a fellow that raked off half-a-stone of hair every shearing time."

"I can't spare my hair, by no manner of means," said Buck. "It's the only thing to brag of about me."

"You must, though," said Jordan.

"No, sir; I can't go that. If even Mr. Ander had told me to be bobbed, I should have stood out stiff agin him. But I'll take off an extra chunk of flesh to make it the same as if I did. I'll wrop myself in hot blankets of night times and sweat myself down to skin and bone; so

never fear for this boy; when he undertakes a thing, howsoever agin the grit, he will go through with it for certain."

It was the day before the race. Buck Weeks and his trainer had each done his part, and as the youth tottered about the tavern yard, he appeared sufficiently thin and ghastly to rival the Anatomie Vivante. The friends of the Gallant Grey were in high spirits. Their unmatched horse had now a rider equal to the task of controlling and directing his energies. Buck Weeks, with the applauding eye of Jordan upon him, had made the circuit of the course in a style which warranted the highest expectations of his future performance. The race-rider's pale cheek kindled with animation as he descended from the saddle to receive the congratulations and praises of the privileged few who witnessed the trial. Yet the youth was not happy. The memory of Reginald Ander haunted him. With a nature whose susceptibility and kindly impulses had survived even the degrading and brutalizing life which he had led from infancy, he possessed the dangerous gift of a lively imaginative faculty. His grateful attachments to the gambler had overcome a reluctance which had resisted unmoved all the various and seductive influences of the race-course, yet it could not free his mind from the painful presentiment of coming ill. "Something is going to happen to me, I am certain," was the thought of the untutored but generous lad. "Let it come, though: if I help Gil Jordan in his time of trouble it's enough for me. Never mind the risk—I wouldn't have it away. Strong and rich as he is, he has nobody else to look to but Buckner Weeks—that's a thing to make a fellow's heart jump."

That evening he ate no supper. When some one urged the importance of taking something to support his strength, his wan features assumed a faint smile, and he answered,

"'Taint best to be over hearty. I can't have too little meat on my ribs to-morrow. Think what curses I should get if the scale-master was to call me too heavy. I reckon you'd have nothing else to do then but to lash a couple of bushels of wheat on Gallant Grey's back, and fasten a bunch of thistles to each stirrup, and turn him into the track to shift for himself. I'd bet a

ninepence he would do better at that fixing than with any other rider besides me that you could put on his back."

"But if you fast at this rate, Buck, you'll be too weak to ride."

The youth laughed scornfully.

"Do you think so, sure enough? Don't you fret if I shouldn't be able to crawl, but pour a gill of brandy down my throat and lift me on to the saddle, and you'll find out what Buck Weeks can do."

This apology for his abstinence was ingenious, but it did not give the true reason. There were feelings stirring in his bosom which took away all power to swallow food. When he laid himself on his pallet it was not to sleep. The day that was next to dawn would prove the crisis of his fate. Let those who believe that the dignity of self-sacrifice attaches only to the heroes of the world—the Curtii, the Damons, and the Lochiels—look with contempt upon the sorrows and intrepidity of poor Buck Weeks. Their sympathy is not called for. The race-rider knew well that his emotions were ridiculous, and therefore he concealed them. He rose from his uneasy pillow, hoping that it was dawn. When he drew aside the curtain the stars were still shining brightly, and the only sign that could be discerned of the approach of day was a faint tinge of red upon the upper surface of the long dark cloud which rested motionless on the horizon.

"Daybreak ain't very far off," muttered Buck Weeks, glad to escape on any pretence from his unwelcome couch. Slipping on his boots, he crept softly down stairs. The fresh air without seemed to invigorate his exhausted frame, and he was encouraged to extend his walk beyond the narrow precincts of the yard. The road conducted him to the front of the white mansion. He stopped. Here it was that the conversation was held which had left so deep an impression upon his mind; and there, a few rods to the left, appeared the dim outline of the cedar hedge which encircled the spot where Reginald Ander was sleeping with his fathers. At that moment, all those solemn warnings, and the no less solemn promise which had been the consequence of them, rose before the lad's mind. Remorse and shame at the violation of that vow were the first feelings

which this train of reflection produced, but he soon made a determined effort to free himself from them. "I couldn't help breaking my word—I haven't done wrong—I'm willing to stand up before anybody's face and speak right out that I haven't done a bit of wrong."

Buck Weeks felt himself nerved with new and surprising energy. Instead of shrinking away conscience-stricken, he was moved by a daring wish to brave the very presence of his monitor. As thought succeeded thought in his soul, the inclination became stronger and stronger. His whole corporeal system partook of the agitation. His hand tried the latch of the gate; it was rusted, and could not be raised. The interposition of an obstacle transformed the vague, dreamy wish into desperate resolve. He speedily climbed the paling, and hastened towards the gloomy thicket. As he groped along in search of a passage-way through the closely planted cedars, a sound from within startled his ear. Was it a groan, or a sigh, or the murmur of the breeze?

Startled beyond measure, the youth paused and listened. There was no repetition, yet his audacity had left him. He was actuated then by no desire to confront the dead. But shame came to the rescue of his faltering purpose, and parting the branches with a sudden effort he pressed into the palpable darkness that filled the inclosure. At first he was like one blinded; no object whatever could be distinguished. When his eyes became a little accustomed to the gloom, he discerned the bright, freshly riven bars of a fence. That fence he knew enclosed the grave of him whose body had last claimed the right of sepulture in the family burial place of the Anders. The race-rider began to advance with a degree of confidence, but soon had occasion to halt and strain his vision to the utmost. One pannel of the fence was divided by a dark upright form. It was not a post, but something broader and higher; to the now thoroughly frightened race-rider it seemed to resemble the human figure. His earnest and long-continued gaze could make nothing of it. The darkness proved an impenetrable veil. He made a few steps, watching the object eagerly the while. It did not move; he proceeded, and finally met the fence on the southern side of the

grave. A space of only two yards width separated him from the form which he had been scanning so anxiously, and which still preserved its position unmoved. The high fence obstructed the youth's sight; and in order to gain a better view he placed his foot upon the lower rail, and was thus enabled to raise himself easily several feet. Then it was that the figure opposite stirred, and from it there burst in agonized tones, "Gracious Heaven help me—he is come!"

Buck Weeks clung nervously to the fence, without power to move a limb. Sensation, thought, every active faculty deserted him.

The figure on the other side continued to utter incoherent and broken sentences. "If you be Reginald Ander—if unexpiated crime have rent the coffin—give me back the pledge; I adjure you to restore that liberty—that peace of which you have robbed me. Now that you have felt the weighty hand of death you dare not refuse me. Hasten while there is yet time—hasten ere the living become as thee!"

Many more expressions equally wild and extravagant were poured forth without intermission. Buck Weeks perceived that he need not apprehend encountering any supernatural being, but he was none the less disposed to relieve the spot of his presence, and as a preliminary measure slid down from the fence.

At this the other individual cried out, "He is gone—he is gone—he has left me no discharge—he has left me no hope!" Thus saying he gave a fearful groan and fell to the earth.

The flight of Buck Weeks was at once arrested. Humanity forbade him to go without some examination into the condition of the unfortunate man. He crept around therefore to the other side of the narrow enclosure. He found the man prostrate and inanimate. Calling up every power of his attenuated and feeble limbs, he dragged the body through the cedar hedge to the comparative light of the exterior. Then he was able to discern clearly, what he suspected from the tones of the voice—that the fainting man was Laurence Seymour.

This ascertained, the next thought of Buck Weeks was to procure assistance. Forgetting, in the confusion of the moment, the proximity of the mansion, he climbed

the fence and proceeded towards the village. Day had faintly dawned, and out of the shade of the trees it was quite light.

Before the lad had gone very far he met Gilbert Jordan. "You scamp!" exclaimed the latter, "we did not know what had become of you. Jake said he heard you slip out of the house an hour ago. Where in the world have you been—you look pale and scared enough to have seen a ghost!"

"You might make a worse guess, that's a fact," answered Buck Weeks, "I've been in the very place for ghosts—that is the grave-yard up yonder."

"The grave-yard? Are you out of your senses?"

"There'd be no cause for wonder if I was, at any rate. I wouldn't be the only person neither that this morning has taken the wits from. There's another body I judge who will give you his word, providin' he ever gets able to talk again, that inside of those cedars is the spot where fanny sights is to be seen."

"How now, Buck, what is all this you are talking about?"

"Just go along with me and I'll show you."

Buck Weeks took Jordan by the arm, but the stout gambler remained still without yielding.

"Do come along, Mr. Jordan; that Englishman, Mr. Seymour, is over there in a fainting fit, if not worse off."

"Is this the plain truth," said the other, "or are you trying to make a fool of me?"

"It's the fact, and no mistake at all," answered Weeks, leading his now passive companion towards the place where he had left the lifeless Seymour. When they got there Jordan saw the impression which was left on the dewy grass, but neither he nor Buck Weeks could find the form that had made it.

It is necessary now to refer to another person, to whom also that night was one of great wretchedness. Information was received the day previous, by the family of Mr. Marshall, that some fishermen had found on the beach of a small inlet, in the vicinity of Charleston, the body of a man. The face, said the accounts, was so much marred as to defy recognition, but the height and general proportions of the figure were those of Mr. Marshall. A

gold watch was suspended around the neck, and the breast-pocket of the coat, which was of fine broadcloth, contained a letter without address, (having probably been sent in an envelope), but signed W. S. Thompson. The letter was an invitation to the writer's residence, and commenced with 'Dear Cousin.' It had no date, and afforded no intimation of the place from which it was sent. These facts were made known in the belief that Mr. Marshall's family would be best able to determine whether they justified the apprehensions entertained of the identity of that gentleman with the person whose remains had been found.

Mr. Marshall had no relative of the name of W. S. Thompson, but he *had* a cousin named W. L. Thompson. The doubt whether or not a mistake had been made by those who deciphered the letter was all that separated the distressed family from the horrible certainty that the husband and the father had perished.

With such a theme for her meditations, Emily Marshall, as may well be supposed, passed an unquiet night. Before breakfast on the morrow she was informed that a visitor waited to see her below, and when she was told subsequently that it was Mr. Seymour, she believed at once, from the unusual hour of his call, that he came to bring a confirmation of the evil tidings received the day before.

She entered the parlor trembling and pale. The single glance which she was able to make at the ghastly countenance of Laurence, seemed to warrant her worst presentiments.

"You need not speak, Mr. Seymour, I understand it all. It is certain the—the body which was found is—is in truth—my father's."

"Oh I trust not," said Laurence, "I have nothing to say about that, I came for another purpose. Yet I have been grievously inconsistent, I forgot what alarm must be excited by the news you have so recently heard. Pardon me. Even now I had better retire."

"Stay sir," she said, "stay, I assure you I am glad to have my thoughts diverted from the subject which has occupied them. But you appear unwell Mr. Seymour."

"Do I?" he answered. "It is not won-

derful; this evening the Liverpool packet, the Royal Maiden, leaves Anderport, and I embark in her."

"Why this sudden determination sir?" enquired Emily, with great interest. "Have you so soon succeeded in releasing your mind from Matilda Chesley?"

"No," said Seymour, "I return to England, but I have two companions thither, close companions, who go wherever I go, the memory of Matilda and Despair. What should detain me in America? If I had any thought now for wealth, no hope of acquisition could keep me, for the mines in which I invested the whole of my scanty means have proved an utter failure. No, I am equally a beggar in fortune and happiness. Why should I remain to prolong an agony of which the certain termination is foreseen?"

"Yet continue a little longer, Mr. Seymour; remain to comfort Matilda."

"Comfort Matilda?" he repeated passionately. "Ah have you not already told me how successful I have heretofore been in administering consolation? Am I ignorant of the suffering which my guilty, selfish imprudence has brought upon her? Because I have wounded, must I slay outright? Were it not for her I should be less utterly miserable. But cursed as no other wretch on earth is cursed, I have made Matilda's fate as dreadful as my own, saving that she has the support of innocence, and that my torture is aggravated by the knowledge of hers. You have shown me clearly, Miss Marshall, the villainy of my conduct, yet you cannot conceive the intolerable anguish of the remorse which your faithful reproof has quickened. Well it is that you cannot know what I endure, for barely to witness each agony would be enough to poison the peace of the most innocent and happy of God's creatures."

Emily was much shocked at the abandonment of all hope and energy which was revealed, not less in his neglected attire and care-worn features than in his wild, impassioned language. She feared that she had heretofore urged matters too far, and endeavored to assuage the storm which she had roused.

"Remember, sir," she said, "that if I painted the situation of Matilda in strong colors, it was merely for the sake of persuading you to adopt the only course which

can secure either her happiness or your own."

"It is needless to recur to that," answered Seymour with a shudder, "I am convinced that my promise ought not to be broken."

"Yet think of it," said Emily earnestly, "think it over seriously and carefully, and you will see as plainly as I do that——"

"And have I not thought of it?" he exclaimed, interrupting her. "What soul has ever been exercised in thought if mine has not? For what instant have I *ceased* to dwell upon it? Do you charge me to think? I have thought till my brain can endure the rack no longer. I have thought till intellect reels from exhaustion! You have seemed to suspect me of indifference to Matilda's happiness because I will not sacrifice what you term my scruples; how quickly would such suspicions be dismissed if you but knew, Miss Marshall, to what measures my longing desire to escape my obligation has led me. I have come to you this morning with dank and tangled hair, and clothing all in disorder. Where think you was my toilet made? What scene was it that I left to proceed hither?"

Emily's countenance expressed the inquiry which she was too much frightened, by the increasing wildness of his demeanor, to utter in words.

"Ay," he went on to say with an intensely bitter emphasis, "I did think the matter over as you directed; and I was driven to the conviction that earth afforded but a single chance of escape. There are accounts—we read them—we hear them—that spirits of the departed have been known to exhibit themselves to living eyes, and to declare those wishes and injunctions which men would not otherwise learn. Are these but vain fables? Say so and I will believe you. Call them rather madmen's dreams. Yet while you are rejoicing in a sound and vigorous reason, pity the wretch who is compelled to look to the delusion of a sickly fancy as to his sole reliance. Yes, Miss Marshall, the shipwrecked, drowning man, with no plank or life-boat in view, clings in agony to the floating straw;—in dreams and in my waking hours I invoked the shade of Reginald. He mocked my impotent calls and would not appear. One night only intervened before the departure of the packet-ship. In that last moment

I could dare all things; Reginald refused to come to me, I determined to go in search of *him*. The night which has just past I spent by the side of his grave."

Seymour stopped abruptly, and looked steadfastly at Miss Marshall. There was something in the almost insane energy of his manner that fascinated the listener and carried her attention along irresistibly.

"Go on, go on sir," she said; "saw you aught?"

"I did. What it was, I know not; perhaps an earthly exhalation, or a phantasma of the wearied vision, perhaps it was Reginald. Be it what it may, I hailed the form without dread, for had I not longed for its appearance? But I saw it sink into the grave from which it had risen; then my strength which could have endured undaunted a converse with the dead, proved inadequate to support a disappointment. I was smitten to the earth. Afterwards I revived to find myself stretched upon the long grass at a distance from the grave."

Seeing Emily quite confounded by his story, he added, "But I did not come Miss Marshall for the purpose of taxing either your nerves or your credulity. My object in intruding upon you in a time and manner so unseemly, was merely to inform you that after the lapse of a few hours I leave the colony for ever, and then to solicit your kind and prudent advice upon a point which I am not in a state of mind to judge fitly myself. Shall I see Matilda before I go?"

"Does your purpose," answered Emily, "indeed admit of no change? Would it not be well to delay your departure if but so long a time as would enable both you and her to prepare for such a meeting and separation?"

"It cannot be," he said. "If I do not avail myself of this opportunity I must remain several months, and to stay here that space would reduce me to a condition even worse than this in which I now am. I dare not think what I might sink to. No, I must preserve, if it be possible, the degree of reason which I have left. I shall not pass another night in Anderport, [this declaration was attended with a visible tremor of the muscles of his face,] I shall go on ship-board at three this afternoon."

"I do not know what to advise," said Emily, "judging of Matilda's feelings by

my own, I should say that she ought to see you, yet I may be wrong."

Laurence now spoke quickly. "Let the decision be left to Matilda herself, it is most fitting. See her Miss Marshall, I entreat you, and if she can bear to hear me say farewell, let her attend you on your return hither. In four hours I will call again. But tell her to regulate her course from consideration only of what will least wound her own peace. To me the bitterness of the parting consists in the necessity which compels it, not in any attendant circumstances. My distress is incapable of alleviation, and the only thing that can aggravate it is that any suffering, which can be avoided, is incurred by Matilda. You will communicate this to her, will you not?"

Miss Marshall gave the promise, and added that she would be at home to meet him at ten o'clock, either with or without the company of Matilda, as she should determine.

As soon as the morning meal was over, the young lady mounted her pony and quickly arrived at the house of the Chesley's. With all the calmness she could summon she informed her friend of the conversation which she had had with Seymour. Then she proceeded to impart the reflection and fears which it had excited in her own mind.

"You can have no idea, Matilda," she said, "of his appearance. The severest and most protracted sickness could not have produced so great an alteration as he has undergone within a week;—it is astounding. But the terrible change in his exterior is nothing to the distemperature and disorder which his mind exhibits. You know, dear Matilda, that I could not be foolish nor wicked enough to alarm you without occasion—I should be far more inclined to err in the opposite direction. Yet, I do assure you, that there is serious cause for apprehending that Laurence may lose his reason."

Matilda was, of course, much affected.

"May a merciful Providence avert such a calamity! But what a weight of responsibility rests on the decision which is left to me. If I refuse to see him, who can tell the effect of such an answer upon a mind in the state of his? Yet, what possible good can issue from a meeting?

What do you think, Emily? Give me counsel—assist me to choose the lesser evil, where both appear equally great and threatening."

Miss Marshall replied: "I am utterly unable to distinguish between them, or rather I see but one evil—an evil which you cannot hope to moderate by any course that does not annihilate it. If he is to leave the colony with this bitter disappointment preying upon his mind, it can make little difference, it seems to me, whether or not you permit him to utter his farewell. If he quits you at all, I think—no I would not say that, but I *fear*—that though Laurence Seymour may survive, the light of his mind will be extinguished for ever."

"This is a day of horror," exclaimed Matilda; "I have endured anguish before, but never till now have I felt that I could be content to barter life for oblivion. To know the future and to see no means of affecting it, make up perfect wretchedness. What crushes me most, Emily, is to behold the fate that impends over Laurence, and, at the same time, to be unable to make even an effort for his succor. Would that I had power to confer on him the ability to bear."

"This is, indeed, beyond your skill," said Emily; "but can you not do a better service? It is impossible for you to give Laurence a faculty which his maker has denied him; but are you not blessed with a prerogative still more to be desired? May not an exertion of your will save him from any occasion for the use of that deficient faculty—save him, I mean, from the suffering itself, which he is not able to support?"

"Speak more plainly, dear Emily; do not tantalize me—is there any prospect or possibility of such a result? Can your ingenuity and zeal point out any imaginable way for his relief as well from his present distress as from that other and far worse calamity? Oh, Emily, I do not ask you now to give him happiness—only preserve him from insanity—preserve him from a living death. So long as that noble form is permitted to walk the earth, may it never cease to be tenanted by the unclouded soul of Laurence Seymour."

"The course," said Emily, "which, as it seems to me, you are plainly called upon

to follow, besides being the only effectual one, is the most simple and direct. Come with me, see Laurence and tell him (what no dispassionate person requires to be told) that he is torturing himself unnecessarily—that he does wrong to cling to a wicked and null engagement—that he has no right to destroy himself or you for a point of honor—tell him, finally, that the reluctance with which he will yield testifies amply to his fidelity. Assure him—and your word he will accept—that when he violates a pledge, in obedience to the demands of a higher duty, his pain is not the anguish of him who commits a sin, but the noble and not dishonorable pain of the martyr who tears away one portion of his heart in order to maintain the integrity of the rest.”

Matilda mused a while, and then answered, “Let not your anxiety, dear Emily, to deliver me from present unhappiness, mislead your judgment. Is it your calm, deliberate conviction that it is incumbent on me to urge Laurence to break his word? Consider the matter well and from all sides. Ought I to contribute the weight of any influence I may possess to induce him to act contrary to his own sense of duty?”

“It is certainly incumbent on you,” answered Miss Marshall, “to guide his judgment when it errs.”

“Ah, but, Emily, would it not be presumption in me to present myself in opposition to conscience? The man who does what he thinks is right, does right; while he who prefers even a beneficent and righteous action, at a time when he believes it wrong, sins. Remember, too, that the person who undertakes to advise another upon a question of duty must always assume a great responsibility, and especially when the case admits of doubt; but if the question have been already decided in honesty and sincerity by the individual himself, ought we not to be exceeding cautious how we interfere?”

Emily Marshall, though conscious that her gentle friend was far from intending a personal reproach, felt her conscience tingle under this observation. Then it occurred to her to doubt how far her own officious interference had tended to the profit of those in whose concerns she had been interested. Nature, however, was not to be quelled at once, and she replied,

“Would you stand aloof, Matilda, while Laurence committed suicide? and is he not, even now, laying violent hands on the noblest part of his being? The danger is instant—urgent: will you wait quietly to see it run its course?”

“No, I will not,” said Matilda; “my efforts may, indeed, be of little avail; but when such a disaster happens, feeble instruments, in the absence of better, may, without folly, be put into use. I will meet Laurence.”

“It was exactly ten o’clock when Seymour made his second call upon Miss Marshall. She descended to the parlor immediately, and with her came Matilda. Emily must have been the least agitated of the three, but her eyes were so filled with tears, and her heart so overwhelmed by a torrent of emotions that she had little power to watch the demeanor of the lovers. She could discern, however, that Seymour had the same haggard aspect as in the morning, but was more composed. Neither he nor Matilda said much for a considerable space of time—each fearing to disturb the calm which it cost them such an effort to preserve. Seymour at length found the trial becoming too severe, and determined that the interview should be brought to a close before his self-control quite gave way.

“Matilda,” he said, “can you pardon me for the folly and weakness which have inflicted such distress upon you? I meant for the best, and if I had contributed in any degree, however small, to your welfare, my pains would be lighter: yet I cannot consider how I have harassed and betrayed your heart without being oppressed with humiliation and remorse. In my very selfishness I have been weak and unmanly and vacillating. It is anguish to perceive now that a villain, who had subjected himself to no restraint whatever, would have injured you less than I have done. Half-way crime has equal guilt, and is followed with greater suffering.”

Matilda answered: “Speak not so, Laurence; this is not to reproach yourself, but to humble me by recalling how much your generous sacrifice, on my account, has cost you. To talk of having committed any wrong against me is cruel mockery. You have performed an inestimable service; for it receive my thanks.”

At this she took his hand in hers, and looked him full in the eye—"With all my heart I thank you, Laurence. Will you then grieve for what has passed? Complete your kindness: you have done that for me which only the truest affection would have done—do not now make me believe that you would repent it. If your self-devotion is attended with pain, bear it, I pray you, for my sake—my heart sympathises with yours. The thought of you will never hereafter be separated in my mind from the grateful sense of an act surpassing the acts of ordinary love. Would you strive to blot out from memory that part of your life which must ever appear to me the brightest and noblest?"

Seymour's firmness was nearly overcome. Returning her glance with one full of gratitude and love, he answered:

"And is it really true that you regard my conduct in this light? Ah, I fear me greatly that it is your kindness and forgiving charity that forces your tongue to utter these words of comfort: in your inmost soul you know and feel that I have been both weak and base."

Matilda spoke up, eagerly—"Has my manner, then, been so cold and harsh as to be thus misinterpreted? Laurence, Laurence, if my countenance and tone, and word, do not convince you, in what way can I make known the depth and sincerity of my grateful affection?—such consolation as the knowledge that I worthily appreciate your devotion is capable of giving, receive with undoubting assurance."

This declaration, made in a tone of thrilling earnestness, could not, indeed, be mistaken. It gave Seymour an immediate sensation of relief. He felt like a just-awakened sleeper, who, as he rejoices at being delivered from the tortures of the nightmare, contemplates the vexations of the previous slumber with a lightened heart, and looks forward to the coming toil with buoyant content. Afterwards this feeling gave place, naturally, to satisfaction and joy at receiving from Matilda such an unequivocal testimonial of her love. Then came the chilling consciousness that he was to be torn away forever from that beautiful and devoted being. These changes succeeded each other with a rapidity which the universe affords no material image to represent. Each emotion,

as it wielded the sceptre of an instant, used its power in rendering his soul less capable of withstanding that which was to follow. The last one burst the guard which he had placed upon his lips; his resentment would have vent; and he spoke of him by whom he had been inveigled into these galling fetters, in terms passionate and fierce.

Matilda Chesley, affectionate and sympathising towards the living lover, did not forget to be just to the dead one.

"We have our sorrows," she said, "but let us bear them without heaping reproaches upon another. If Reginald were alive and had done us harm, it would be our duty to forgive him, is it not now much more our duty? Let us not assume authority to judge motives. Reginald, perhaps, meant to repair the wrong; perhaps he was not conscious of the degree of injury he was inflicting. It is possible—I pray you think of this—it is possible that he has brought about what is best for us in effecting our separation. You and I, Laurence, were, perhaps, in danger of becoming too entirely devoted to each other. May it not be that, pursuing different paths, as we now must, we shall be able to do more for the honor of our Maker and the benefit of mankind? Does not the very pain of this hour teach that it may be good for us that we part? Our business in life is to labor, and why should we murmur when one task is assigned us instead of another? Let us be diligent and faithful in the performance of duty, and then, if happiness is to be enjoyed on earth, doubt not that we shall be happy."

Seymour was revived and greatly encouraged by her words. He answered: "Matilda, if you can feel thus, the care that was crushing me is removed. If you do not hate and condemn me for my conduct—if you believe that I have not wantonly and selfishly trifled with your affection, I can go forth into the world contented if not cheerful. In leaving you now, do I appear culpable and cruel? Miss Marshall has told me that I am sacrificing you to an over-scrupulous sense of honor—is it so? Matilda, I commit myself, my honor, my duty, my self-respect, entirely to you. Be you instead of conscience to me. Is my promise to Reginald binding or not? Speak, for I dare trust to your decision."

Emily Marshall's eyes brightened up. "Now," she thought, "everything will be brought right."

The warm blood rushed, indeed, with a stronger current to Miss Chesley's own heart. The fate of a life-time rested upon her decision that moment. A hundred considerations to justify the disregard of the covenant rose before her. All that Emily had said, all that reason could urge, all that passion could plead, came upon her mind with the vehemence of a torrent. Yet, though shaken, she was steadfast. In a tremulous voice she replied, "I do not know what course would be enjoined by the wise and dispassionate; but this I know, Laurence, that the human heart seldom hesitates between the gratification of its most earnest longings and disappointment, unless duty be on the bitter side. There is always danger, even when no warnings intervene, in yielding to inclination; and whenever room is afforded for deliberation and doubt, they choose most safely who permit not the scale to descend in which the weight of self is placed. Far be it from me to change a purpose which honor and conscience alike command. I feel that I could stifle any passion however strong or engrossing, which should dare persuade me to wish you one jot less worthy of my respect and admiration."

"I might have been assured of it," said Seymour, fervently; "It was impossible that my dishonor and breach of faith could be demanded by a regard for your happiness and welfare. Released from this, the single fear which unnerved me, I can return to England a man. I bless you, Matilda, for the lesson your lips have given: without you I cannot, indeed, be happy; but it is in my power to be useful, and what higher privilege need a created being ask?"

Then the farewell was exchanged, almost silently and with little show of passion. Afterwards Seymour took Miss Marshall's hand, saying, "Accept my heartiest thanks for the sympathy which you have manifested, and for the kind and earnest counsel by which it has been accompanied; but the path she points out"—his eyes were here turned for an instant to Matilda—"is best. Is it not so?"

Emily, who saw him in the course of that brief interview brought from the brink

of frenzy to the gravity and composure of conscientious resolve, could return no denial. When Seymour immediately after left the house, still preserving his calm, manly and thoughtful demeanor, Miss Marshall whispered to her friend, "I believe in truth that your way is best."

Seymour went back to Anderport—on foot as he came. When he neared the tavern the sound of many voices struck his ear. The cause of the unwonted confusion and clamor was at once apprehended; for the hour—it was noon—testified that the race must be over; yet it was with a sensation of pain that he saw himself obliged to encounter a scene for which the present state of his mind was so little fitted. There was no opportunity for retirement to his favorite moody solitudes;—the packet would leave in a very few hours, and go he must. It is necessary to anticipate him, and even to recur to the race-ground.

There the proprietors of the horses, and a numerous throng besides, had duly assembled. Jordan was there supporting Buck Weeks. The latter, (now the excitement of the morning was over,) appeared too pallid and frail to direct the motion of his own limbs, yet was he depended upon to rule the mettled steed that pawed the earth as the stout groom who led him into the field was compelled to keep both hands on the halter.

"Have a bold heart Buck," said Jordan; "win this race and I'll make a man of you."

The lad returned a sickly smile, and said, "I hope the Grey will win, but as for me, I reckon I'm done up; I feel the notion coming on stronger and stronger; it aint good to break promises—there's no luck in it."

"Enough of this talk," exclaimed Jordan, almost savagely; "I believe in my heart you are going to knock everything to pieces by this cursed folly."

"No, I shan't," answered Buck Weeks, "I'll do what I'm able; and, I reckon, you'll say nobody could have filled them stirrups better. Help me up now—hold on there, Jake."

Three rounds had been made, and the fourth and decisive heat only remained. Gilbert Jordan was so well satisfied with the performance of the gallant Grey and

his rider that he made large addition to his heavy bets. It was with intense anxiety, therefore, that he awaited the result. The trying and dangerous as well as critical moment had come. Gallant Grey, who combined swiftness with his great power of endurance, was apt to do well so long as his rider could afford to bear a heavy hand upon the bridle; but the least excess of liberty spoiled him. When the demands of the race no longer permitted the rider to hold him in, and when, on the contrary, it was necessary to stimulate his energies with whip and spur, then was the time of peril. On three previous occasions he had become quite ungovernable. Once he had pranced and leaped from one side of the track to the other till the race was lost. The next time he leaped the fence and ran off to his stable with a dizzy speed far exceeding his best achievements on the turf. At the third repetition of the hazardous experiment he threw his rider and returned to the starting post.

Brek Weeks, profiting by his own experience and sedulously tutored by Jordan, was fully aware of all the risks attending his situation, and did what he could to diminish them. Caliph, however, the other horse, was nearly a match in every respect for his antagonist; and Buck, though he postponed the desperate effort as long as possible, saw that it must be made at last.

Three-fourths of the course were passed. The horses ran side by side, and the most practised spectator could not distinguish that either was a head's length in advance. It was an animated and exciting, though painful, sight. The lad who rode Caliph plied the whip and was, evidently, urging the horse to his utmost. Buck Weeks was leaning back in the saddle, his whip hanging unused from his wrist, while both hands grasped the bridle. There was a sudden change. The Gallant Grey dashed forward at a rate to which his former speed seemed like rest;—Caliph panting and straining was left far behind. Then arose the shout, "Hurrah, Buck! hurrah, Buck!" Jordan, whose ears were insensible to any sound, held his breath and leaned eagerly across the railing. In three leaps more Gallant Grey will reach the goal. At that instant his wild, ungovernable nature showed itself. He reared bolt upright; then, as the ready spur pierced his flank, he half wheeled and sprang to the futher

side of the track. The skill of Buck Weeks, equal to any emergency, returned him to his place ere it was quite too late. The maddened animal again reared, again the rowels were plunged in each flank. As that next leap should be directed the race would be lost or won. Just then a stirrup-strap broke; the hapless rider was cast from the saddle with prodigious violence, Gallant Grey tossing the bridle to and fro, and making many a wild curvet, dashed over the field; while Caliph shot by at an unbroken gallop, gained the stand, and was pronounced winner of the race.

Gilbert Jordan ground his teeth together and turned in rage from the course.

"Don't you mean to see after Buck Weeks?" inquired a by-stander; "that was a dreadful fall, and I shouldn't wonder if his neck was broke."

"No!" shouted the gambler, harshly, "let him take care of himself;" and he accompanied his answer with a volley of imprecations upon the horse, the rider, and his own soul.

Others had more humanity or were less vexed by disappointments and losses. As they raised Buck Weeks from the ground the poor youth groaned and opened his eyes. Bearing him as gently as possible, for every motion seemed to cause acute pain, they took him to the tavern. There he was examined by a physician, who declared that an arm and two ribs were broken, and that there was also reason to fear his having suffered some severe internal injuries.

Buck Weeks received the information of his danger with great fortitude. "I knew it was a coming," he said, in a tone of mournful resignation. "A promise aint to be forsook without a judgment—especially when it's made to them that haven't got living eyes to watch how you keep it. But it couldn't be helped, I reckon—I was bound to mind Gil Jordan's bidding. Where is Mr. Jordan, though? I'd like mightily to see his face so as to tell him that I aint sorry."

"Oh, Jordan's gone," answered some one—"clean gone and no mistake. He went off raving and tearing mad, and you needn't to trouble yourself about him, Buck; for, you may be sure, he don't care the value of ninepence whether you are alive or dead."

This news inflicted a sharper pang upon

the grateful lad than a fractured bone could give.

Laurence Seymour now came upon the porch. Learning what had befallen the race-rider, he entered the room where he lay and inquired kindly after his condition. Buck, on hearing the Englishman's voice, instantly raised his head, "You, likewise," he said, "have had something to do with Mr. Ander."

"With Reginald Ander?" said Seymour, much surprised.

"Yes," answered Buck Weeks, "and he's a queer body, too, to have dealings with, that's certain. Are you afraid to meet him?—I aint—no, not a bit, for all what's happened. A promise is a promise, but there's things that ought to stand higher—I'm sure there are. He was wise and 'cute and talked what was rational; and the promises that he worked a fellow up to were for a body's good, I'm well persuaded, but the heart must be first served; and if it ever leads the wrong way, don't it pay for it afterwards in suffering? I think so—I wouldn't have believed that of Gil Jordan. Well, its all done up now, and I shant let it worry me. I tried to do what was according to right all along—even when the Grey jumped the track I managed as well as the state of things gave leave, and it wasn't my fault that the stirrup-leather broke—was it? When that did give way I'm sure that if I had been a piece of the critter's back I must have been flung off. But I did what I thought I ought to, all through—so let Reginald Ander say what he pleases."

"His mind is wandering," remarked several bystanders to one another. Just then, however, their attention was drawn to the outside. In front of the door a horseman had that instant drawn bridle. The eyes of all were directed to him. To many he seemed like one risen from the dead; but the hearty tone in which he replied to the cordial salutations that greeted him from every side left no room to doubt that Mr. Marshall was before them in life and vigor. As he dismounted, Seymour, who had descended the steps with eager haste, was the first to grasp him by the hand.

"How do you do sir," said he, "I am rejoiced to see you. Your protracted absence caused us all at length to share the apprehensions of your family respecting

you. We were shocked only a day or two since by the news that your body had been found in a creek in South Carolina."

Mr. Marshall answered laughing, "if that's the worst news you have to tell me I shall be well contented. I do not know what body has been picked up—indeed this is the first I've heard of the story—but I feel quite comfortable with this I have with me. By the way, I wonder if our good landlord could not supply me with a little something to nourish it? I have ridden fifty miles this morning, and I know that when I get home my good folks will keep me so busy answering questions that I shall be allowed no chance to eat."

"But satisfy at least, sir," said Seymour, "our more moderate and less exacting curiosity, while dinner is on the travel from the kitchen to the table. Explain the mystery of your detention."

"There's no mystery about it," replied Mr. Marshall, taking a seat on the porch. "That stupid captain of the schooner, instead of putting me ashore as he promised at Charleston, or in the vicinity, kept directly on to New Orleans, pretending that the winds or some other nonsense prevented his stopping. I am rather inclined to believe that he was asleep or drunk when he passed the coast, and was too lazy to turn back. I have returned from Louisiana as quick as I could, stopped one day only at Charleston, performed all my business in that time, and am now here waiting for dinner."

"Did you return in the same packet that took you out?"

"Very far from it I assure you," said Marshall; "I would not trust the rascally captain again. When I told him, too, that he should not have a shilling in payment for the passage out, the impudent fellow smiled and answered that he did not expect anything. But what has been going on in my absence? Poor young Ander's dead I understand. I knew he was in a bad way when I left, but I had no idea that his notice was so short as it has proved."

"Yes he's gone," said one of the company, "and as he died intestate, Eugene Ander's eldest son will get the property."

"Eugene's fiddlestick," responded the old gentleman, "why Mr. Surecase here could have told you better, and Higgs, and Draper, too!"

Many eyes were now turned upon the three individuals enumerated. Surecase the lawyer spoke. "Of course I knew there was a will, and that it was put in your possession, Mr. Marshall; but the testator, when I drew it up, requested me to say nothing about it till the time came for its execution. So it is evident that professional honor made it incumbent on me to preserve silence."

"And as for Draper's part and mine," said Higgs, "we witnessed the will,—that can't be disputed, but it was't for us to be telling tales out of school. Liars and lawyers are all one word they say, so it would have been a hard case indeed if professional spunk could do more for Mr. Surecase than honesty could do for us. Mr. Ander made us promise to keep our lips tight for a while."

"Tell us then what the will is," exclaimed a dozen voices together.

"The document, I suppose," answered Mr. Marshall, "is safe in my desk at home, but you will hardly be satisfied to wait till I fetch it here, so I may as well tell you the substance of it. Where are you going Seymour?"

The young Englishman who had risen from his seat, replied, "I return to England in the packet which leaves this afternoon, and it is time I was preparing my little baggage—I will stop, however, sir, to hear you through before I make my farewell."

"You act wisely," rejoined Mr. Marshall, "and to reward your patient attention to an old man's prattle I will be very brief. The short and long of the matter is, that the whole property is bequeathed to Laurence Seymour and Matilda Chesley, and *their heirs*."

"Is this really so?" said Seymour, suppressing his agitation.

"It is lucky for me," said Mr. Marshall with a smile, "that I am able to establish my assertion by good evidence. I should have been sorry to have lost my reputation for veracity at this late day. Yes, Mr. Seymour, I am in truth able to congratulate you on a bit of good fortune which is not met with every day. The will is plain, decisive, and I think incontestible. The only dark sentence in it you probably are able to throw light upon. Its object as well as I can comprehend it, is to release you from some bargain, or other.

That seems nonsense now, by your leave friend Surecase, to tell a legatee he need not pay a debt to himself."

The lawyer, anxious to vindicate himself from the suspicion of a blunder, hastened to say in a tone raised considerably higher than usual, "I am not answerable for that; Mr. Ander would have it written just so."

A feeble voice from within the chamber was now heard to utter, "what's that about Mr. Ander?"

To Mr. Marshall's look of inquiry, Seymour answered, "it is Buck Weeks; he has had a bad fall from a horse."

"Is it indeed," said Marshall, rising and entering the room, "I have news for him too. Ander charges you, Seymour, and Miss Chesley, to take Buckner Weeks under your care and instruction, and if he should prove worthy, to establish him comfortably in some honest business. What do you think of that Buck?"

The youth was at first somewhat bewildered by the suddenly communicated information, but as soon as the case was made clear to him, answered, "well, Mr. Ander's the best leader after all, and here's one that means to stick to him henceforth, that is if I live, and I reckon I've got some physic now that's a big sight more healing than 'intments and plasters."

Such was the manner in which the Ander estate came into the possession of the Seymours. As to the note of which black Achsah was the bearer, inquiry revealed that Mr. Ander had given it to her nearly six weeks previous to his decease, with the direction to put it into the hand of Laurence Seymour when he should make his next visit to Miss Chesley. Secrecy was enjoined till then, and so successful was Reginald in the choice of all his agents that the old woman, as has been seen, fulfilled her charge with the most exemplary fidelity. It may be added, that some expressions dropped by the captain of the schooner gave ground for the shrewd conjecture that Mr. Marshall's involuntary voyage to New Orleans was not altogether accidental. What Reginald's object was in subjecting his heirs to such a trial as he did can only be guessed. Perhaps the best explanation was that given by Buck Weeks.

"Mr. Ander," he said, "was queer, and had his own way of doing things."

The race-rider recovered perfectly from his injuries, and his subsequent life testified that his admiration of his benefactor was sincere and lasting. Mr. and Mrs. Sey-

mour did their part, and Buckner Weeks is remembered as having been in his day one of the most substantial farmers in the neighborhood of Anderport.

## TITIAN'S ASSUMPTION.

BY WILLIAM ALLEN BUTLER.

[THE ASSUMPTION OF THE VIRGIN, Titian's most celebrated painting, is the glory of the Academy of St. Luke and of Venice. It is one of the grandest works of art in Italy. Following the tradition of the Roman Church, it represents the Virgin soaring to heaven from her grave, supported and surrounded by groups of angels, while the Apostles gaze upwards in wonder and adoration.]

Burst is the iron gate!  
And, from the night of fate,  
Out of the darkness and the gloom abhorred;  
Amidst the choral hymn,  
With cloud and cherubim,  
The Virgin leaves the tomb—arisen like her Lord!

Free in the heavens she soars,  
While the clear radiance pours  
Like a vast glory, round her upward face;  
And higher still, and higher,  
With the angelic choir,  
The soul by grace regained, regains the realms of grace.

In mortal shape! and yet,  
Upon her brow is set,  
The new celestial glory, like a crown;  
Her eyes anticipate  
The bright eternal state;  
Her arms to heaven extend; to her the heavens reach down!

We, with the saints, beneath,  
Half lose our mortal breath,  
With sense and soul still following where she flies;  
They, rapt into the light  
Of the miraculous sight,—  
We, of the wondrous art that gives it to our eyes!

Venice, May, 1847.

M<sup>lle</sup> DE LA SEIGLIÈRE.*(Continued from page 495.)*

## CHAPTER VII.

M<sup>lle</sup> DE LA SEIGLIÈRE watched alone. Leaning upon the support of an open window, with her brow resting in her hand and her fingers lost amid the tresses of her flowing hair, she heard, with an air of abstraction, the confused murmur which came up from the sleeping fields—the concert of the water, the waves and the winds, the nocturn of creation, the harmonious language of the serene and starry night. With all these voices and all these murmurs M<sup>lle</sup> de la Seiglière mingled the first stirrings of a heart wherein a new life was just beginning to dawn and reveal itself. It came up in her like the noise of some hidden fountain about to gush forth and already lifting the moss and turf which cover it. Helen had been reared in a world of grace, elegance and polish, but circumscribed, cold, correct, and monotonous—we will not say absolutely tedious. Her interviews with old Stamply, the letters of Bernard, the image and memories of one she had never known—these constituted all the poetry of her youth. But from these frequent conversations and the frequent reading and re-reading of his letters, all of which breathed the warmest filial affection united with the exaltations of glory—letters of a child as well as a hero, caressing and chivalrous, all written in the intoxication of triumph the day after the combat—she had come to entertain toward him that romantic affection which attaches to the memory of friends gathered before their time. Little by little the strange feeling had grown up and was beginning to open in her bosom like a mysterious flower;—a little, blue, ideal flower which perfumes the depths of the soul in its lonely hours. Helen cherished it in her heart that she might look upon it and breathe it there. And why should she distrust the dream when she had never seen the reality? Why should she fear

the shadow whose body was resting quietly in the tomb? Sometimes she carried his letters with her on her excursions, as she would have done some cherished book; and that very morning, seated on the side-hill under a bunch of aspens, she had re-read the most touching—that wherein Bernard enclosed to his father the first piece of red riband which had decorated his breast. The end of the riband still showed traces of powder, and was tarnished, moreover, by the kisses of old Stamply. Helen could not help thinking that this was worth all the carnations, roses, and camellias which Madame de Vaubert was accustomed to wear in her belt. With her imagination excited by the descriptions of the scenes of which Bernard gave an account in the letter, and a heart inflamed, she returned to the chateau, and had scarcely entered the room when they pointed out to her—Bernard, Bernard resuscitated, Bernard living and standing before her. This, certainly, was more than was necessary to surprise one who had hitherto dealt only with chimeras. The miraculous apparition of the young man, who bore no resemblance to any one she had ever seen before, but who did not illy respond to the idea which she had confusedly formed of him, the position of the son, whom she believed disinherited by the probity of his father, his grave and sombre look, his stern and haughty attitude, the sunlike brilliancy of his eye, and his shining forehead, his trials and sufferings, in short, all the details of that strange day, produced upon her an impression singularly romantic and deep. So far was she from suspecting that what was passing within her gave cause for alarm, that she abandoned herself, without the least solicitude to the sensations which were moving in her heart like the waves of a new life. Nevertheless she saw at once that, since Bernard

was living, she had no claim upon the letters which his father had given her upon his death-bed. But the thought of separating from them troubled her; she took them all, one by one, read them again, for the last time, and then put them all into the same envelope, silently bidding adieu to these friends of her solitude, these companions of her leisure hours. This done she went out upon the balcony and there stood for some time gazing upon the stars, the white vapor which marked the winding course of the Clain, and the moon, like a disk of brass, just passing below the horizon.

Although it had been light for some time, Bernard awoke in darkness. A single beam of light, coming, he knew not whence, divided the apartment like a luminous band, in which were suspended millions of little particles—like golden dust in a riband of fire. After remaining for some instants in that state of listless indifference which amounts neither to sleeping nor waking, he suddenly started up at the low, murmuring sound of the reality which was stealing upon him like the flowing tide, listened for a moment, and threw an enquiring look around the chamber. The sound drew nearer; the tide was continually advancing. Startled and amazed, he leaped from his bed, drew the curtain and threw open the shutters. His eyes and his mind were enlightened at once; he comprehended the peculiarity of his position as clearly as he saw around him the sumptuous furniture of the chamber. The eagle which falls to sleep free in its eyrie, and wakes up perched in the cage of a menagerie, does not experience a feeling of rage and stupor more sombre and terrible than Bernard now experienced at the recollection of what had passed the day and evening before. He almost despaired of himself, and felt self-accused of cowardice, perjury, and infamy. He was tempted to throw the Japan vases, the cup of gold pieces, the Turkish slippers, and the cigars, out of the window, and to finish the matter by throwing himself out after them. He went through all the motions of twisting Madame de Vaubert's neck, and be thought himself what chastisement he should inflict upon the Marquis. Even Helen herself found no favor before his burning indignation. He stood motionless before the mirror, and asked himself if that could be his image reflected there. Was

it, in reality, his? In a single day, untrue to all his instincts, a traitor to his opinions, to his feelings, to his origin, to his duties, to his resolutions, to his interests even, he had struck hands with the nobility and accepted the hospitality of the plunderers and assassins of his father! By what sad charm? by what dark enchantment? Indignant at having been thus sported with, and convinced that the Marquis was only an old *roué*, and his daughter a young intriguer trained in the school of Madame de Vaubert, disengaged from all the bands with which they had insidiously bound him, ashamed and furious at the same time, at having suffered himself, like Gulliver, to be thus caught by such pigmies, he seized his whip, crushed his hat hastily upon his head, and, without even taking leave of his hosts, rushed from the chateau resolved not to return till he had driven out the entire race of the La Seiglières.

As he passed through the court, planted with fig-trees, horse-chestnuts and lindens, on the way to the stable to saddle his horse, he was met by Mlle de La Seiglière, who had just left the chateau for a morning walk, arrayed in her simple morning attire, yet, even more beautiful than she had seemed the evening before, and with a brow so serene, an air so calm and a look so limpid, that Bernard's indignation gave way before her as the mist upon the hills melts and disperses before the rising sun. To suspect that noble and sweet creature of hypocrisy, of lying, of intrigue and duplicity, was like accusing the innocent birds which were cooing and fluttering upon the neighboring dove-cot, of murder and carnage. She advanced directly towards him.

"I was looking for you, Monsieur," said she.

At the sound of her voice Bernard started, and the charm recommenced. They were at this moment near a little gate, which opened into the fields. Helen opened it, and, passing her hand through the arm of Bernard—

"Come," she added, "there is time enough yet. Father thought last evening to go and take a hunt with you this morning; but you will be obliged to content yourself with a stroll with me through the fields. You will lose by it; but the rabbits will be the gainers."

"Stay, Mademoiselle," said Bernard, with a tremulous voice, gently disengaging himself from the hand of Helen. "I respect and honor you. I believe you are as noble as you are beautiful. I feel that to doubt you, were to doubt truth itself. You loved my father; you were the guardian angel of his declining years. You administered to his wants, you solaced his sufferings, smoothed his pillow, and caught his dying breath. May Heaven bless and reward you. You fulfilled the duties which, but for my absence, would have devolved upon me. For this I shall ever cherish in my heart towards you a feeling of the warmest gratitude. Nevertheless, permit me to go. I cannot explain to you the imperative reasons which compel me to this course; but since I am compelled, and by a force which tears me from the charm of your society, you will see, Mademoiselle, I trust, that the notions by which I am governed are, indeed, imperious."

"Monsieur," replied *Mlle de La Seiglière*, who believed that she understood the motive of which she spoke, "if you are alone here, if your affection does not call you elsewhere, if your heart is free, I do not know how we can consent to your leaving us."

"I am alone, and my heart is free," sadly replied the young man; "but I am only a soldier of rude and, doubtless, gross manners. I have none of the tastes, habits or opinions of your father. A stranger to the world in which you live, I should neither enjoy it myself nor contribute to the pleasures of others."

"Is it so, Monsieur?" said Helen. "But bear in mind in your turn, that this is your domain, and that no one here will think of interfering with your tastes, habits, or opinions. My father has a kind heart, indulgent and tractable. You shall see us only when you desire; and if you prefer it, you shall not see us at all. You can choose that kind of life which pleases you best; and, aside from the temperature, which we cannot control, there shall be nothing to prevent your enjoying a perfect Siberia; only you shall not freeze, and France shall be at your door."

"Be assured, Mademoiselle," returned Bernard, "that my place is not in the same mansion with the Marquis de La Seiglière."

"Would you have me understand by that, Monsieur, that this is not our place," said Helen; "for this is your property."

Thus did these two innocent and honest hearts reciprocally abdicate their claims. Bernard blushed, was troubled, and said nothing.

"You see," continued Helen, "that you cannot and shall not depart. Come," she added, taking him by the arm, "yesterday I delivered to you, as it were, the last words of your father; there remains yet another deposit, which he confided to me on his death-bed, and which I must transfer to you."

Thus saying, she gently drew Bernard along, who followed her almost involuntarily, and both were soon out of sight, in a covered walk which led through the grounds between two hedges of thorns and privets. It was one of those smiling mornings which the autumnal sadness has not yet touched. Bernard recognized the old sights and scenes in the midst of which he had been brought up; at each step, some awakened recollection; at each turn of the path, some fresh memorial of his early years. As they thus proceeded, they talked of by-gone days. Bernard, of his turbulent childhood; she of her quiet and sober youth. Occasionally they would stop, whether to exchange an idea, an observation, or a sentiment, or to pluck the mint and digitalis which bordered the walk, or to admire the effects of the light upon the neighboring meadows and hillsides; then, as if surprised by some sympathetic revelation, they pursued their walk in silence till some new incident arose to interrupt the mute language of their souls. If it appear strange, perhaps even improper, to some rigorous and delicate persons, that the daughter of the Marquis de La Seiglière should thus walk, in her morning toilet, leaning on the arm of a young man whom she had, for the first time seen the evening before, it is because these persons, for whose exquisite sensibility we, nevertheless, entertain a high respect, forget that *Mlle de La Seiglière* was too pure and too chaste to be influenced by that affectation of modesty and reserve, we will not say shyness, which the world teaches to its vestals. We would, also, recall to their recollection that Helen had grown up in solitude and

freedom, and that, in short, in following the secret tendency of her heart, she believed she was discharging her duty. After nearly an hour's walk they came, without being aware of it, and without design, to the farm where Bernard was born. At the sight of the humble cottage, where nothing had materially changed, he could not restrain his emotion. After taking a rapid survey of these scenes of his infancy, he sat down by the side of Helen, in the court, upon the same stone where his father sat on the occasion of his last visit to the farm a short time before his death. Both were deeply affected and remained silent. When Bernard raised his head, which he held for a long time between his hands, his countenance was moistened with tears.

"Mademoiselle," said he, turning towards Helen, "I yesterday, in your presence, spoke of my six years of exile and servitude. You are kind; I know it—I feel it. Perhaps you grieved for my sufferings, and yet, in that indiscreet recital of my ills and misfortunes, I made no mention of that which most cruelly tortured me, and still tortures me without ceasing. I carry it with me, like a vulture gnawing at my heart. When I left my father he was already old and alone in the world. In vain did he protest that I was his earthly treasure. I abandoned him without pity to run after that phantom which men call glory. Surrounded by the turmoil of the camp, and occupied by the excitement of war, I did not once think of my ingratitude; but in the silence of my captivity I felt myself suddenly overwhelmed by the weight of a terrible thought. I pictured to myself my old father, without relations, friends or family, abandoned, mourning my death, and reproaching my life. Thenceforward, the thought that he mourned for me, and that he doubted my affection, gave me neither truce nor mercy; it became the evil of my heart; and I still ask myself if, upon his dying bed, he could have forgiven me.

"He died with his blessing upon you," replied the young girl, "and in the joyous hope of meeting you in heaven."

"Did he never speak of me with bitterness?"

"He never spoke of you except with love and enthusiasm."

"Did he never curse my departure?"

"The very thought of your glorious conduct filled him with pride. You no longer existed for him, it is true; but still you were his entire life. He mourned for you, and yet he existed only in you and by you. As he was just expiring he gave me your letters as the dearest and most precious legacy which he had to leave. These letters—here they are," said Helen, drawing them out of a velvet bag and handing them to Bernard;—"they have taught me to know and to love France, and I have often seen your father moisten them with his tears and kisses."

"Mademoiselle," said Bernard with a trembling voice, "may you, who aided the father to die, and who help the son to live, be rewarded and blessed."

They returned more silent than they had come. Though still laboring under the shock of the frightful dream which he had had during the night, M. de la Seiglière cordially received Bernard, who could not excuse himself from taking breakfast with the Marquis and his daughter. Left to himself, the Marquis was most agreeable, and if now and then he was guilty of some imprudences, they were marked by such a character of freedom and good faith that they were by no means displeasing to the free and loyal nature of his guest. The repast finished, the day rolled away like a dream;—Bernard, always ready to depart, and always prevented by some new episode. He turned over the leaves of the albums with Helen, played billiards with the Marquis, rode out with both in an open calash, visited the stables of the chateau, praised the horses to the old gentleman, who was fond of them and pretended to be a judge. In the afternoon came Madame de Vaubert, who displayed all the powers of her grace and wit. The dinner was to Bernard almost a pleasant one. In the evening, by the fireside, he so far forgot himself as to again recount his battles. In short, a few moments before midnight, after shaking the hand of the Marquis, he retired to his chamber, and, firmly resolving that he would leave the next day, he smoked a cigar and laid down to pleasant dreams.

But what has become, meanwhile, of our young Baron? On the morning of that very day, Madame de Vaubert, who

had, the evening before, prevented her son from presenting himself at the castle, sent for him to her room.

"Raoul," said she to him, at the moment of his entrance, "do you love me."

"What a question, mother!" replied the young man.

"Are you devoted to me, body and soul?"

"Have you ever doubted it?"

"If grave interests, concerning me, should require you to go to Paris ——"

"I would go."

"Immediately?"

"At once."

"Without losing an hour?"

"Now," said Raoul, taking his hat.

"Very well," said Madame de Vaubert.

"This letter contains my instructions; you will not open it until you arrive at Paris. The Bordeaux mail will pass through Poitiers in two hours. Here is some money. Embrace me. Now, go."

"Without taking leave of the Marquis and presenting my homages to his daughter?" demanded Raoul, hesitatingly.

"I will charge myself with that duty," replied his mother.

"Still ——"

"Raoul, do you love me?"

"What will ——"

"Are you devoted to me?"

"Mother, I go."

Three hours afterwards, Raoul was whirling away towards Paris, less perplexed and less doubting than one would suppose; and, under the belief that his mother had sent him thither to purchase the bridal presents. Scarcely arrived, he broke the seal of the envelope which contained the instructions of the baroness, and read the following lines:

*"Amuse yourself; see the world; associate only with persons of your rank; do nothing to degrade yourself; husband your youth; think not of returning till I recall you, and leave to me the care of your happiness."*

Raoul neither comprehended it nor sought to comprehend it. The next day he walked gravely upon the Boulevards, with a cold and serious look, in the midst of the splendor of Paris which he saw now for the first time, with as little curiosity as if he was walking through his own grounds.

## CHAPTER VIII.

WEEKS and months rolled on. Though ever upon the point of departure, Bernard had not yet gone. The season was delightful. He hunted, rode the Marquis' horses, and finally gave himself up to the current of that easy and elegant life enjoyed by the rich country proprietors. The sallies of the Marquis pleased him; and although he still felt, in the presence of Madame de Vaubert, a vague sentiment of distrust, of inexplicable uneasiness, he nevertheless was not insensible—he hardly knew why—to the charms of her grace, dignity and intelligence. The dinners were gay and the wines exquisite. Rambles at night-fall along the banks of the Clain, or under the trees of the park, which the autumn had stripped of their foliage, discussions, stories and chit-chats by the fireside, whiled away the leisure evenings. If the Marquis occasionally let off an aristocratic shot which exploded like a bomb-shell at the feet of Bernard, Helen, always present

and busy with her needle-work, would raise her head and with a smile, heal the wound which her father had made. M<sup>lle</sup> de la Seiglière, who still thought the young man's position at the castle was of an irksome, humiliating and precarious tenure, sought only to make him forget it; and this mistake was a full compensation for the heroic patience, at which he himself was surprised, with which he endured the provoking impertinences of the incorrigible old man. Besides, although they really agreed in nothing, Bernard and the Marquis began to feel an affection for each other. The open character of the son of Stamply, his frank and loyal nature, the manliness of his demeanor, the bluntness and boldness of his speech, even his extravagance of expression when he spoke of the battles of the Empire and the glory of his commander, were far from repugnant to the old gentleman. On the other hand, the chivalric puerilities of the Mar-

quis were not without something of attraction for the young soldier. They hunted, rode horseback, and talked politics together; got excited, battled—and were not far from loving one another. Faith, thought the Marquis, for a hussar, the son of a clown, the boy is really not so bad as he might be. Well, said Bernard, for a Marquis, a *voltigeur* of the old *regime*, the old man isn't the most disagreeable in the world. And when they parted in the evening, and in the morning when they met, they would cordially shake hands.

The autumn drew to its close, and the winter made Bernard feel more sensibly the joys of the fireside, and the pleasures of society. From his installation at the castle, it had been deemed prudent to avoid company. They lived by themselves. There were no parties. Bernard, who had passed the preceding winter among the frozen steppes of Russia, thought no longer to resist the seductions of so lovely and charming a retreat. The nobility, upon the whole, had an admixture of good, and rather improved upon acquaintance. He thought what would be his situation, sad and alone, in that deserted castle; that he should be wanting in respect to the memory of his father were he to proceed vigorously against those who had soothed his declining years, and that, since they did not question his right, he ought to leave to time and their delicacy and honor the fit determination of their strange history, without violence, or strife, or animosity. In short, in thus gently abandoning himself to the caprice of the wave by which he was rocked, he was not without good reasons for excusing himself in his own eyes, and justifying his weakness. There was one, however, more powerful than all, and this was the only one which he did not give.

Lightly and swiftly did the time fly away both for Helen and Bernard. It required no great sagacity to perceive what was going on in their young hearts; but our gentleman who knew as little of love as of politics, never for once dreamed that a patrician's daughter could fall in love with a plebeian's son. On the other hand, Madame de Vaubert, who with all her shrewdness, knew nothing of the surprises of passion, could not reasonably suppose that the presence of Bernard would com-

pensate for the absence of Raoul. Nor did Helen herself. In her innocence she did not doubt that she loved him; and recognizing herself before God as his betrothed, and believing that with reference to Bernard she was but obeying the dictates of a generous hospitality, she gave herself up, without distrust, to the mysterious current which was wafting her towards him.

She would sometimes compare the heroic youth of Bernard with the idle existence of Raoul; and sometimes, when reading the letters of her affianced, she would think of those of the young soldier, and wonder that the tenderness of the lover had so much less warmth and exaltation than that of the son. When with sparkling eye and a beaming countenance, Bernard spoke of the field of glory and combat, or when he sat gazing upon her in silence, she felt a strange emotion which she had never experienced in the presence of him to whom she was pledged. Still she did not divine that love was lurking in these sudden emotions of her soul—she, who had always supposed that love was a sober, quiet sentiment, without anxiety or mystery, without sorrow or joy. In fine, Bernard himself, without knowing it, was intoxicated with the charm which enveloped him, and day after day, with perfect freedom and innocence, each sought to throw the other's position into forgetfulness—Helen growing more charming and Bernard more humble—and neither suspected that love was at the bottom of these delicate attentions. Nevertheless they had, simultaneously, not long after, a vague revelation of the truth.

A short time before the arrival of Bernard, in one of those boyish fancies to which the Marquis was becoming sufficiently subject in his old age, he had bought a young horse of the pure Limousin blood, and so untameable that no one had yet dared to mount him. Helen had named him Roland, from his untractableness. A poor fellow, who thought himself a centaur, had volunteered to break him; but Roland was too much for the centaur, whom he quickly unhorsed with a broken back. From that time no one had ventured to meddle with the rude player, though he was the boast of the neighborhood for ten miles, both for his marvellous beauty and

the purity of his blood. The conversation turning upon this matter, one day, Bernard made bold to say that he could, in a month, render him gentle as a lamb. Madame de Vaubert urged him to try; the Marquis dissuaded, and Helen begged him not to undertake it. But Bernard had something beside mere pretension. He ran to the stables, and very soon made his appearance under the balcony, where the baroness, with the Marquis and his daughter were waiting, in the saddle and on the back of the bold and fiery Roland. Enraged by the curb, with foaming mouth, nostrils distended, and fiery eyes like a wild courser of the desert, which for the first time feels the girth and the bit, the proud animal bounded with incredible fury, pranced, wheeled, reared and plunged, all to the visible satisfaction of Madame de Vaubert, who seemed to take the greatest interest in the exercise, and to the special delight of the Marquis, who admired the grace and dexterity of the rider.

"*Ventre-saint-gris!* young man, you belong to the race of the *Lapithæ*," cried he, clapping his hands.

When Bernard returned to the parlor, he found Helen pale as death. During the entire day she neither looked at him, nor spoke to him. In the course of the

evening, however, when Bernard was standing near her, silent and sad, lest he had offended her—the Marquis and Madame de Vaubert, meanwhile, being absorbed in a game of chess:—

"Why will you so foolishly risk your life?" said she in a low tone, and somewhat coldly, without raising her eyes from the work upon which she was engaged.

"My life?" replied Bernard, smiling. "No great risk."

"You don't know that," said Helen.

"Nobody cares for me," rejoined Bernard, with a trembling voice.

"You don't know that," said Helen. "Besides it is wrong thus to trifle with the gift of God."

"Check-mated!" shouted the Marquis. "Young man," added he, turning to Bernard, "I repeat it; you are of the blood of the *Lapithæ*."

"From what we have seen," interrupted Madame de Vaubert, "Bernard will soon be master of Roland."

"You shall not ride that horse again," said Helen, with her eyes still fixed upon her work, and in a tone of cold and calm authority, and in a manner to be heard only by the young man, who retired almost immediately to conceal his emotion.

## CHAPTER IX.

THUS matters stood, and nothing gave reason to suppose that for a long time, if ever, they would wear a new face. Bernard was fairly established, and his position appeared so impregnable, that the most the Marquis could hope for was, that he would suffer matters to remain as they were. In truth, the Marquis was in a quandary. He was instinctively drawn towards Bernard, and was fond of him, or rather willingly endured him, whenever he gave himself up to his natural levity, and forgot by what right the young Stamply sat at his table and fireside. But in his hours of reflection, so soon as he began to feel his dependence, and to perceive the true character of his situation, the Marquis saw in him only a domestic enemy—a sword of Damocles suspended by a thread and gleaming above his head. There were,

for him, two Bernard's, one of whom he was not at all displeased with, while the other he could have wished buried a hundred feet underground. He had not now, when speaking of him with Madame de Vaubert, those bursts of indignation, those laughable sallies which we have before described. He was no longer the petulant and mettlesome Marquis, breaking at every moment from his leading string, and bounding free in the fields of fancy. The reality had tamed him, and if at times he endeavored to throw off its influence, a touch in the flanks from the spurs of his rough rider, brought him to a sudden stop. Madame de Vaubert herself, was far from that confident assurance which she had at first discovered. Not that she had abandoned her purpose; Madame de Vaubert was not a woman to be easily discouraged; but not-

withstanding all her efforts to reassure him, she seemed to the Marquis hesitating, doubtful, troubled, and irresolute. The fact is, the baroness no longer felt that undoubting intrepidity which had so long sustained her, and with which she had also succeeded in inspiring the old gentleman. As she studied Bernard, watched him more nearly, and learned him more thoroughly, she became convinced that the chances for compromise and accommodation were exceedingly meagre; she perceived that she had to do with one of those sensitive and proud spirits, who impose conditions, but never receive them, who can abdicate, but never compound. Now, as here was a million at issue, it was not very likely that Bernard would readily resign it, however disinterested and generous he might be supposed to be. Mlle de La Seiglière was the only one who could attempt, with any hope of success, to accomplish such a miracle; she alone could consummate the work of seduction, which unconsciously to herself, the charms of her youth and beauty had victoriously begun. Unfortunately for Madame de Vaubert's plans, Helen was unsophisticated and ingenuous. If she possessed the charms which could turn the lion into love, she had not the artfulness which could file his teeth and pare his claws. By what arts, by what management, could she bring this noble heart to become, without suspicion, the instrument of her craft, and the accomplice of her intrigues? Such was the secret which all the ingenuity of Madame de Vaubert vainly exhausted itself in seeking. Her conversations with the Marquis had ceased to be marked by that nerve and force with which they had but recently been animated. There was no more of that high disdain, that proud contempt, that haughty bearing, which has more than once perhaps caused the reader to smile. When the hunter goes forth in the morning at the first dawn of light, full of ardor and hope, he breathes the air with a swelling chest, and cheerfully sets his feet in the dewy fields. Thus seeing him with his gun upon his shoulder, and escorted by his dogs, we would say he was marching to the conquest of the world. Meanwhile noon approaches; the dogs have started neither partridge nor hare, and the hunter foresees that he is to return with an empty bag, without having burned

his powder, unless, perhaps, in a shot at the linnets. Through the briars, which tear his clothes, and beneath the sun, beating down upon his head, he marks his way with jaded steps, and sits down discouraged under the first hedge he enters. This is nearly the history of the baroness and the Marquis. It is noon with them, and they have taken no game; but worse off than the hunter, the game has caught them.

"Well, Madame la baronne?" occasionally said the Marquis languishingly and doubtfully shaking his head.

"Oh, Marquis," replied Madame de Vaubert, "we must see; we must wait. This Bernard is not exactly the person we have taken him to be. Whether feigned or real, a certain elevation of ideas and a certain distinction of sentiments is not wanting to him. At the present day all mingle together. Thanks to the benefits of a revolution which has confounded all classes, and obliterated all the lines of demarkation, the rabble may pretend to have as much heart as we. There is not one of them so mean but would think it dishonorable not to affect the stateliness of a Rohan, and the pride of a Montmorency. It is a great pity; but so it is. These people will finish by emblazoning their filth and mounting their armorial bearings."

"We are still playing a villainous game," added the Marquis, "for while we have no chance for excuse, thanks to your skill and counsel, I am in a fair way to lose both my fortune and my honor. This is too much! How shall we get out of this comedy? You are incessantly telling me that we hold the prey in our hands; *par Dieu!* I think rather that the prey holds us. We have shut up the mouse in a Flemish granary."

"We must see; we must wait," repeated Madame de Vaubert. "Henry IV. did not conquer his kingdom in a day."

"He conquered it in his hour, and at the point of a stainless sword."

"You forget the Mass."

"It was a Low Mass; I have been listening to one these three months, and am only at the *Introit*."

However much it might cost him to admit strangers into the secret of this business, which, however, was a secret to no one; however much of repugnance he

might feel to committing himself with the lawyers, the Marquis had arrived at such a state of perplexity that he determined to take the advice of a celebrated jurist, who then flourished at Poitiers, where he passed for the D'Aguesseau of the place. M. de La Seiglière still doubted the validity of the claims of his guest; he refused to believe that a legislator, even a Corsican, could carry iniquity so far as to sanction and encourage pretensions so exorbitant. At the risk of destroying his last hope, he one morning sent for the Poitevin D'Aguesseau to call at his cabinet, and carefully explained the whole matter, preparatory to the inquiry if there was any honorable way of disembarassing himself of Bernard; or at least if he could compel him to any arrangement which should compromise neither the honor nor the fortune of his family.

This celebrated jurist, whose name was Des Tournelles, was a little old man, keen, crafty, and withal fond of a joke, belonging to the noblesse of the robe, and therefore entertaining no great affection towards the noblesse of the sword, particularly the La Seiglières, who had always treated ermine and the wig as a smacking of the bourgeoisie. Besides, he had not forgotten a rencounter, in which our gentleman treated him very cavalierly, and while, though it had happened some thirty years before, and had been long forgotten by the offender, still rankled in the heart of the offended. M. Des Tournelles was therefore by no means grieved to find the Marquis in difficulty. Having thoroughly examined into the facts of the case, and assured himself that by the terms of the deed from Stamply to his old master, the rights of the donee were entirely revoked by the single fact of the existence of the son of the donor, he took a malicious pleasure in demonstrating to his noble client that not only had he no legal remedy against Bernard, but that the latter might at any time, according to the provisions of the law, turn him and his daughter out of doors. The old fox did not stop here. With the ostensible purpose of satisfying the Marquis, he entered into a defence of the principle upon which the law restoring Bernard to his father's property was founded; he developed the idea of the legislator, and maintained that in this, so far from being

iniquitous as the Marquis alleged, the law was just, provident, wise, and paternal. In vain did the Marquis object; in vain did he charge the republic with extortion, violence, and usurpation; in vain did he attempt to show that he held his property not of the liberality but the probity of his old servant; in vain, in short, did he endeavor to escape from his dilemma by any of the thousand and one ways which he knew so well. Our legist politely proved to him that in appropriating the estates of the emigrants, the republic had only made use of a legitimate right, and that in restoring to him the domain of his father, his old farmer had only performed an act of munificence. Under the pretext of still further explaining the matter, he expatiated at length upon the generosity of the old miser. He was gifted with an inexhaustible faculty, and the words poured from his mouth like showers of arrows from a quiver; so that the poor Marquis, pricked and stung like a man who had recklessly provoked a swarm of bees, began to sweat profusely, and writhed in his chair, cursing the day when he thought of consulting such a pitiless babbler, without even the poor resource of getting into a rage, so politely and dexterously did his tormentor bear himself. At length pushed to extremities—

"Enough! Monsieur, enough!" cried the Marquis; "ventre saint-gris! it seems to me that you abuse both eloquence and erudition. I am sufficiently informed; I have no desire for any further instruction."

"Monsieur le Marquis," gravely rejoined the sly old man, who enjoyed the sport exceedingly, and was determined not to let go his victim till he had gorged himself with his blood, "I am called in as the physician of your fortune and your honor, and I should deem myself unworthy the confidence you have shown me if I did not respond with equal candor. Your case is a grave one; and it is not by consulting your prejudices yourself, or by humoring them on my part that you can expect to extricate yourself from your embarrassment."

These last words fell like refreshing dew upon the indurated heart of the Marquis.

"Eh! Monsieur," he demanded with a hesitating and submissive air, "then the case is not desperate?"

"Possibly not," replied the crafty Des Tournelles with a smile, "provided always that you consent to disclose the whole, and to hear what is necessary to be heard. I repeat it, Monsieur le Marquis, you are to see in me only the physician, whose duty it is to examine into your complaint, and prescribe the proper remedy."

Softened by fear, allured by hope, and encouraged withal by the apparent good nature underneath which the old serpent concealed his perfidious designs, the Marquis resigned himself to the most thorough and intimate disclosures. To adopt the comparison of Des Tournelles, he fared like those persons, who, after a life of railing at medicine, throw themselves blindly into the arms of the doctor the moment they fancy that they can feel the cold breath of death. Apart from a few trifling details which he thought it his duty to omit, he laid the whole matter open without reservation—his return, the arrival of Bernard, and the manner in which the young man installed himself at the chateau. Urged on by the diabolical juriconsult, who every now and then interrupted him with—"Very well! all very well! Less serious than I expected. Courage, Monsieur le Marquis! All right so far, we shall get out of it,"—he laid himself completely open, while, with his chin supported upon his bill-headed cane, the old counsellor was swelling with joy to see the proud old gentleman thus expose his infirmities and discover, without hesitation, the wounds of his selfishness and pride. When the latter had finished his story, M. Des Tournelles assumed a serious look, and ominously shook his head.

"Serious matter," said he, "very serious; more so than I supposed just now. Monsieur le Marquis, it is not to be dissembled that you are in the most unfortunate position in which a nobleman of any time or country was ever placed. You have, in fact, no home which you can call yours. You do not tolerate Bernard; he tolerates you. You are at his mercy; you are dependent upon his caprices. This boy may at any time, or any day, compel you to leave. Serious, very serious, exceedingly serious!" and the lawyer looked still more grave, and shook his head still more ominously.

"I knew it, *par Dieu!*" it is very se-

rious," cried the Marquis with impatience; you may repeat that a hundred times, and teach me nothing new."

"I am quite aware," coolly pursued M. Des Tournelles without noticing the interruption of the Marquis, "I am far from ignorant of the fact that it is for the interest of this young man to retain you and your amiable daughter under his roof; I know very well that it will be difficult for him to find guests so distinguished, and who will do him so much honor. I go further; I maintain that it is his duty to seek to retain you; I conceive that filial piety imperiously commands him to connect you with his fortune. You were so kind to his father! It was said, with truth, that that old man enriched himself by the very act of divesting himself of his estate, so overwhelmed was he in his latter days with your kind attentions, your care, your tenderness, and your regard! Charming spectacle! It is delightful thus to see the hand which gives, overcome in generosity by the hand which receives! Although I have not the honor of an acquaintance with M. Bernard, I do not doubt his honorable disposition. So far as I am aware, everything indicates in him a noble heart, an elevated mind, a generous and grateful soul. But, aside from the fact that it hardly comports with the dignity of a La Seiglière to accept a humiliating condition, life is strewn with rocks, against which, sooner or later, the purest intentions and the most honorable resolutions must break. Bernard is young; he will marry, and have children. Monsieur le Marquis, I must tell you the truth; this is a very serious matter!"

"What! The devil!" shouted M. de Seiglière, who felt his blood tingle in the very tips of his ears. "I sent for you not to calculate the depth of the abyss into which I have fallen, but to tell me how I can get out of it. Will you begin to help me out; when I get out it will be time enough to measure its depth."

"Pardon me, Monsieur, pardon me," replied M. Des Tournelles; "before finding you a ladder it is well to know how long it must be. Monsieur le Marquis, the abyss is profound! What an abyss! If you return you may flatter yourself, like Theæsus, that you have visited dismal shores. And what a history, monsieur, is yours! What singular freaks of fortune! What

strange vicissitudes! The Marquis de La Seiglière, one of the greatest names in history—one of the first gentlemen in France, recalled from exile by one of his old servants! The worthy man despoils himself to enrich his former lord! The son, who was supposed to be dead, returns one fine morning to reclaim his heritage! This is a drama; it is all a romance; we have nothing more interesting in all our judicial annals. No doubt, Monsieur le Marquis, you were very much surprised at the appearance of this young soldier, whom rumor had slain in the battle of Moscow! But, although his return must have cost you some embarrassment, I should be willing to swear that the appearance of the son of your benefactor alive and well, was not disagreeable to you."

"To the point! Monsieur, to the point!" cried the marquis, ready to burst, and red as a peony.

"Do you know of any way to get me out of this affair?"

"Zounds! Monsieur le Marquis," cried his tormentor, "we must find some way. You must not remain in such a deplorable position. It must not be said that a Marquis de La Seiglière and his daughter have lived at the charge of the son of their old farmer, liable at any day to be sent away, like tenants who have not paid their rent. This ought not to be; it must not be."

Here M. Des Tournelles appeared to fall into a learned meditation. For a quarter of an hour or more he sat marking out circles on the floor with the end of his cane, or, with nose pointing upwards, regarding the mouldings of the ceiling; while the marquis watched him in silence, with an anxiety impossible to describe, but easy to comprehend, trying to read his fate in the visage of his counsel, and passing, by turns, from disappointment to hope, according to the anxious or smiling expression which played upon the countenance of the perfidious Des Tournelles.

"Monsieur le Marquis," said he, at length, "the law is explicit; the claims of young Stampy are incontestible. Nevertheless, as there is nothing in the law which cannot be disputed, I am of opinion that, with the requisite management and skill, you may succeed in compelling young Stampy to relinquish his pretensions. But the difficulty is that, in order to do this,

it is necessary to resort to the subtleties of the law; and you, Marquis de La Seiglière, you will never consent to engage in the obliquities of chicane."

"Never, Monsieur, never!" proudly replied the marquis. Better leap out of the window than descend by a filthy staircase."

"I was sure of it," resumed M. Des Tournelles. "These sentiments are too chivalrous for me to think of combatting them. Allow me, however, to observe that the stake is a great one—the domain of your ancestors—a million of property—the future prospects of your daughter and your family. All this is to be taken into consideration. I do not speak of this with reference to yourself, Monsieur le Marquis; you possess a heart as disinterested as ever beat in the human bosom, and ruin is less terrible to you than a stain upon your escutcheon. Want has no terrors for you; you would live, if need be, upon the roots of the earth and water. This is noble, beautiful, grand, heroic! I can see you already, in my mind's eye, resuming the route to poverty, and at the view my heart is moved and my imagination kindled; for, as has been truly observed, the wrestlings of a strong man with the assaults of adversity, is the most magnificent spectacle which one can behold. But your daughter, Monsieur, your daughter, for you are a father! Though you may be willing to accept the part of *Œdipus*, will you impose upon that darling child the task of *Antigone*? What do I say? As pitiless as *Agamemnon*, will you sacrifice her, a new *Iphigenia*, upon the altar of pride to the selfishness of a false honor? I was well aware that you would find it repugnant to your feelings to suffer your name to be brought before the tribunals, and to seek by technicalities to snatch from justice the consecration of your rights. Still, think of it, a million of property! Monsieur le Marquis, you are properly here; it is your place; this hereditary wealth becomes you; it fits you like a glove, and you wear it well. And then, between you and me, is it more dishonorable to seek a blow at one's adversary, through a defect in the law, than it was formerly for knights to aim, lance in hand, at the joint of the visor, or at some defect in the cuirass?"

"Well, proceed Monsieur," said the marquis, after a few moments of hesitating si-

lence, "if you will answer for the success of the plan, out of the devotion which I feel for the interests of my daughter, I will resign myself to drain the cup of humiliation to its last dregs."

"Triumph of paternal love!" exclaimed M. Des Tournelles, with an air of astonishment. "Then it is agreed that the case shall go to court. It only remains to determine by what niceties we shall be able to succeed in legally depriving of his legitimate rights the son of the good man who left you all his estate."

"*Ventre-saint-gris!* Monsieur. Let us understand ourselves!" cried the old gentleman, who, in less than a second, changed from the blush of shame to the pallor of indignation. "That is not what I want. I believe it to be my duty to transmit, intact, to my daughter the inheritance which I received; but God forbid that I should ever think of depriving that young man of his legitimate property. I will set apart a portion of it to him. I will assure to him, at whatever expense, an easy and honorable support."

"Ah! noble, noble heart!" said M. Des Tournelles, with a tenderness so perfectly affected that the marquis himself felt somewhat moved. "And yet they accuse these grand seigniors of selfishness and ingratitude! Well, since you insist upon it, we will do something for the hussar. Besides, we will declare this in open court; the advocate on the other side can make nothing of it, and it will have a good effect on the minds of the judges."

Hereupon, M. Des Tournelles, desiring a few moments for reflection, to see, as he said, if he could find any defect in the law, appeared again to lapse into a profound cogitation. In about ten minutes he came out with a countenance radiant with smiles; seeing which, M. de La Seiglière felt the joy of a man who, under sentence of death, and in daily expectation of being executed, suddenly learns that his punishment is commuted to perpetual imprisonment in the galleys.

"Well, Monsieur," demanded the marquis.

"The fact is, Monsieur le Marquis," responded M. Des Tournelles, suddenly assuming a look of mingled pity and consternation, "the fact is, you are lost, lost without resource, lost without hope! After considering the whole matter and tho-

roughly weighing it in all its details, to go to court would be a great mistake. It would only compromise your reputation without saving your fortune. I made no doubt of being able to gēt round the law in some way, and save you from the 960th article of the chapter on donations; with the code there is always some means of getting along. Unfortunately, the terms of the deed which restored the property to you, are too clear, too precise and explicit to admit, with the best will in the world, of any doubt as to their meaning; it would be only a waste of time and labor. John Stamply left you his property only under the conviction that his son was dead; but his son is living; therefore the father gave you nothing. There is no escaping the conclusion; it is inevitable! inevitable!" repeated the lawyer, with peculiar emphasis, and a look of despair. "But I desire to know," he continued, with an air of triumph, "why it is that you and I sit here amusing ourselves with so remote and so sorry a prospect of escape, when it is not impossible that we have one at hand which is at once honorable and infallible? In your familiarity with comic authors, the fact cannot have escaped you, that all comedies end with a marriage. Indeed, it almost seems as if marriage was instituted for the pleasure and profit of poets. Marriage, Monsieur le Marquis, is the grand resource, the *deus ex machina*, the sword of Damocles cutting the Gordian knot. You find it so in Molière, in Regnard, in all the poets. How could they extricate themselves from their plots, except by marriage? In all comedies, what reconciles divided families? what terminates differences? What stops litigation, extinguishes hatred, and puts an end to intrigues? Marriage! always marriage! And what prevents us, if it is true that the drama is but the painting and expression of real life, from winding up with a marriage? Eh? Mlle de La Seiglière is young, and admitted to be charming; on the other hand, Bernard is young, also, and very passable in his appearance? Let them be married. Molière himself would not have asked a better dénouement for such an adventure."

Notwithstanding the difficulty of his position, the marquis was seized with such a fit of hilarity at this proposition that he sat rolling in the chair, and holding on upon

his sides for some five minutes in immoderate laughter.

"*Par Dieu !* Monsieur," said he, after having recovered himself, "you owed me this recompense for the two hours you have kept me on the stand. I beg you will repeat your proposition."

"I have the honor to repeat, Monsieur le Marquis," replied the malicious old man, with an imperturbable *sang-froid*, "that the only way of reconciling, in this affair, your reputation with your interest is to offer Mlle de La Seiglière in marriage to the son of your old farmer."

This time the marquis was utterly unable to contain himself. He was obliged to get up from his chair and take a turn or two about the chamber before he could recover himself from the convulsions of laughter induced by his excessive delight. When he had become tolerably calm—

"Monsieur," said he, "I had been told that you were a very able man, but I had no conception of your real power. *Ventre-saint-gris !* What penetration ! What a prompt and ready glance ! What a way of arranging things ! You must have been sent to school early to have acquired so much at your age. Your father was, doubtless, king's attorney. Vive Dieu ! What wells of science ! Madame Des Tournelles, when you walk out with her, at Blossac, on Sunday, must carry a high head. Monsieur le jurisculte," added he, suddenly changing his tone, "you have to consult not to advise."

"Oh ! to be sure, Monsieur le Marquis," replied M. Des Tournelles, without discovering the least embarrassment, "I understand perfectly well that such a proposition is revolting to your noble instinct. I can fully appreciate your feelings ; I can feel all the weight of your objections ; I can excuse your opposition. Still, if you will reflect but for one moment you will see in your turn, that there are exigencies to which the most legitimate pride is obliged sometimes to yield."

"Stop there, Monsieur," said the Marquis, in a severe tone, which admitted of no reply ; which however did not silence the crafty old man.

"Monsieur le Marquis," he continued with firmness, "the sincere interest, the very lively sympathy with which your position inspires me, the respectful attach-

ment which I have always felt towards your illustrious family, the frankness and well known sincerity of my character, all unite in compelling me to insist ; and I must insist, though I incur your ridicule and even your indignation, as the reward of my devotion. Suppose, some day, your foot should slip, and you should be precipitated into the Clain, would he not be justly chargeable with crime before God and man, who, when it was in his power, should not lend you a helping hand. But the truth is, you have fallen into a gulf a hundred times deeper than the bed of our river ; and I think I should be wanting to my duty did I not make use, even at the risk of wounding you, of all possible human means to attempt to extricate you."

"Well ! Monsieur," retorted the Marquis, "let people drown in peace, if it is their good pleasure. Far better to drown respectably in pure, transparent water, than drag out a dishonorable life in poverty and disgrace."

"These sentiments honor you ; I recognize in them the worthy heir of a noble family. I fear, however, that you exaggerate the dangers of an alliance with a family not of your rank. You must be aware that, whether right or wrong, opinions have latterly undergone a great modification on this point. Monsieur le Marquis, these are trying times. Although nominally restored, the noblesse are by no means really so ; under the factitious brilliancy which has recently been imparted to them, there is already the melancholy of a star which pales and declines. I am convinced that they can recover their ancient splendor only by mingling, to some extent, with the democracy which surrounds them on all sides. I have carefully reflected upon our prospects, for I also am interested as well as yourself ; and for the purpose of convincing you how deeply I am penetrated with the necessity of an alliance between us and the people, I will state, what you are perhaps not aware of, that I recently resigned myself to the marriage of my eldest daughter with a sheriff. We must take things as they are. At the present time it is with the aristocracy as with the precious metals, which cannot be sufficiently hardened to be useful without a grain of alloy. In these times a marriage of convenience, such a one as I am recom-

mending, is a sort of family lightning rod, for the protection and the best interests of all concerned. We must stoop a little that we may get a better support, and fortify ourselves more strongly against the tempest. A great and curious change is at this moment going on in society. Before twenty years shall have passed the citizen gentleman will take the place of the gentleman cit. Will you, Monsieur le Marquis, have my whole thought?"

"No, I am not particular about it," said the Marquis.

"Well, as I was going on to say," resumed M. Des Tournelles with unwavering assurance, "your great name and fortune, your intellectual superiority, and your accomplished manners, have very naturally excited towards you feelings of envy. You have enemies; what superior man has not? He must be unfortunate indeed who has not two or three at least. But you, for the reasons I have just stated, have many. How could it be otherwise? You are not popular. What more easily accounted for, since in all things popularity is only the seal of stupidity, and the crown of mediocrity? In short, Monsieur le Marquis, you have the honor to be detested."

"Monsieur——"

"I beg pardon; I appreciate your modesty; but, as I was saying, you have the honor to be detested. You serve as the mark for the shots and jibes of an unscrupulous party, which is increasing every day, and which threatens very soon to become the majority of the nation. I shall not allow myself to repeat to you the thousand base calumnies which this lawless and faithless party is daily engaged in spreading like venom over your noble life. I know too well the respect due to you to consent to become the echo of these vile and cowardly aspersions. They charge you openly with having deserted your country at a time when it was in danger; they accuse you of having borne arms against France."

"Monsieur," replied the Marquis with virtuous indignation, "I have never borne arms against any one."

"I believe it, Monsieur le Marquis; I am sure of it. All honorable persons are agreed on this point; but, unfortunately, the liberals have no reverence, they respect nothing, and honorable men are rare.

They are pleased to point you out as an enemy of the public liberties; the rumor goes that you detest the charter; they insinuate that you are seeking to restore within your domains the dime, the corvée, and other seigniorial privileges. They assert that you have written to His Majesty Louis XVIII. to advise him to enter the Chamber booted and spurred, whip in hand as Louis XIV. did his parliament; they affirm that you annually celebrate the anniversary of the battle of Waterloo; they suspect you of being in correspondence with the congregation of the Jesuits; in fine, they go so far as to say that you openly insult the glory of our arms by habitually attaching to the tail of your horse a tricolored rosette. This is not all, for calumny will not readily stop where it finds so many attractions; they declare that old Stamply was a victim of scandalous and heartless devices, and that as a return for all his benefactions, you left him to die with chagrin. I do not wish to alarm you; nevertheless, I must avow that as things are situated, if a second revolution should break out—and God only knows what the future has in reserve for us—you would be obliged to fly again with the greatest haste; otherwise, Monsieur le Marquis, I would not answer for your head."

"You know very well, Monsieur, that this is infamous," exclaimed M. de La Seiglière, whom this oration of the satanic old man had excited to the utmost pitch of endurance. "These liberals are villainous scoundrels. I, an enemy of the public liberties! I adore them. And how could I detest the charter? I never saw it. The Jesuits! but ventre-saint gris! I never saw the tail of one; and as for the other charges, I will not deign to reply to such low and vulgar accusations. As to a second revolution," added the Marquis gaily, as cowards whistle to keep up their courage, "I imagine, Monsieur, you must be jesting."

"Jesting! By no means," quickly replied M. Des Tournelles. The future is thick with tempests; the heavens are charged with livid clouds; political passions can already be heard in the distance; the very soil beneath us is mined, and ready to explode. Indeed, Monsieur le Marquis, I tell you in all earnestness, that if you would

not be surprised by the storm, you must watch, watch incessantly, give ear to every sound, be on your guard night and day, have neither rest nor truce, nor respite, but have your baggage constantly ready, that you may be on your way at the first clap of thunder that shall break in the horizon."

M. de La Seiglière turned pale, and regarded M. Des Tournelles with a look of fear. After enjoying the fright for a few moments, which he had thus thrown into the heart of his unfortunate client, the lawyer continued :—

"Do you now perceive, Monsieur le Marquis, the propriety of this alliance? Do you not begin to see that a marriage between the son of Stamply and your daughter, would be, on your part, an act of profound policy? See how, by such a course, you would change the face of things. You are suspected of hating the people; you give your daughter to the son of a peasant. They mark you as an enemy of our rising glory; you adopt a child of the empire. They accuse you of ingratitude; you mingle your blood with that of your benefactor. Thus, at a single stroke, you confound calumny; you disarm envy; you bring public opinion to your support; you contract a favorable alliance with a party which now seeks your ruin; you insure your head and fortune against the danger which threatens; in short, you will end your days surrounded with luxury and opulence, happy, tranquil, honored, and safe from the storms of revolution."

"Monsieur," said the Marquis, with dignity, "if need be my daughter and I will mount the scaffold. We can pour out our blood; but we will never pollute it so long as it shall flow in our veins. We are ready; the noblesse of France have proved, thank God! that they know how to die."

"To die is nothing. To live is the difficulty. If the scaffold was ready at your door, I would take you by the hand and say to you: 'Mount into heaven!' But from here there, how many sad days to pass! Think —"

"Not a word more, I beg of you," said M. de la Seiglière, drawing from the pocket of his black satin breeches a little silk purse, which he furtively slipped into the hand of M. Des Tournelles. "You have exceedingly entertained me," added the

Marquis; "it is a long time since I have laughed so heartily."

"Monsieur le Marquis," replied M. Des Tournelles, carelessly letting the purse drop upon the floor; "I am abundantly recompensed by the honor you have done me in esteeming me worthy of your confidence. Besides, if it is true that I have succeeded in making you laugh in the position in which you are placed, it is one of my greatest professional triumphs, and I am under great obligation to you. Whenever you may be pleased to resort to my humble advice, I shall ever be ready to afford you any assistance in my power, and think myself fortunate, if, as to-day, I shall succeed in allaying, in any degree, your apprehensions."

"You are too kind a thousand times," rejoined the Marquis, with a low bow.

"And though this is no longer to be your home," resumed Des Tournelles, "though you may, henceforth, possess neither chateau, nor park, nor forest, nor domain, not even a poor corner of the earth large enough to pitch your tent upon, you are still, and will continue to be, to me, the Marquis de la Seiglière, greater, perhaps, in misfortune than ever you were in prosperity. It is my nature; misfortune seduces me, adversity attracts me. Had my political opinions admitted of it, I should have accompanied Napoleon to St. Helena. Be assured that my devotion and respect will follow you wherever you may go, and that you will always find in me a friend faithful in misfortune."

"On your part, Monsieur, be persuaded that your respect and devotion will ever be to me a precious source of aid and consolation," replied the Marquis, pulling the bell.

M. Des Tournelles had arisen from his seat. As he was about to leave, he threw a complacent look around the apartment and observed in all its details the sumptuous furniture.

"Delightful sojourn! enchanting retreat!" murmured he, as if talking with himself. "Carpets from Aubusson, damasks from Genoa, Saxony porcelain, chairs from Boule, Bohemian glass, splendid paintings, objects of art, charming fancies — Monsieur le Marquis, you live here like a king. And this park! Why, it is a perfect wood," added he, approaching

the window. "As you sit by the corner of your fireside, in the spring, you must hear the songs of the nightingale."

At this moment the door opened and a valet appeared.

"Jasmin," said M. de la Seiglière, kicking the purse which still lay upon the carpet and discovered the yellow metal gleaming through its silken meshes, like the scales of a gold fish—"pick that up, it is a present to you from M. Des Tournelles. Good day, Monsieur Des Tournelles, good day. My compliments to your wife. Jasmin, show the gentleman out, you owe him that politeness."

This said, he turned his back without more ado, stepped behind the window and leaned his head forward against the glass. He supposed that M. Des Tournelles had left, when, all of a sudden, the execrable old man, who had slipped back, stealthily as a cat, standing on tiptoe and placing his mouth close to the ear of the ruminating Marquis—

"Monsieur le Marquis—" said he in a low tone, and with a mysterious look.

"What!" cried the Marquis, suddenly starting up, "you here yet?"

"A last opinion, it is a good one. The matter is a very serious one, and if you wish to get well out of it, marry your daughter to Bernard."

Thereupon, followed by the maledictions of the Marquis, and attended by Jasmin, who overwhelmed him with bows and other demonstrations of politeness, M. Des Tournelles turned quickly on his heel, and, with cane under his arm and rubbing his hands, darted out of the door delighted as a fox just leaving the poultry yard drunk with blood and licking his jaws.

Thus, apparently with the intention not to touch, or to touch only to cure, M. Des Tournelles had only irritated and poisoned the wounds of his victim. M. de La Seiglière who had previously felt sick, was now convinced that his sickness was mortal—that he should never recover. Such was the result of this memorable consultation; a Marquis was drowning; a lawyer, who was passing by, proved to him that he was lost and tied a stone to his neck, after having, for a couple of hours, dragged and rolled him in the mud.

But the heart of the Marquis was not the only one in the valley of the Clain

that was true blood. To say nothing of Madame de Vaubert, who was not quite reassured as to the success of her enterprise, Helen and Bernard had both lost their repose and serenity. For some time Mlle de La Seiglière had been greatly perplexed, and a thousand strange questions were constantly coming up in her mind. Why, in none of her letters to Raoul, had she ventured to mention the presence of Bernard? Doubtless she feared to provoke the pleasantry of the young baron, who could never tolerate old Stampley; but why, when in conversation with Bernard, and mention was made of the son of the baroness, had she never dared to speak of her approaching union with him? Sometimes she seemed to herself to be deceiving them both. Whence came that vague dread, or that cold indifference, which she had recently experienced at the thought of the return of Raoul. Whence was it, also, that his letters, which at first so delighted and almost charmed her, brought now only a profound and mortal ennui? Whence, in fine, that overwhelming feeling of lassitude which she invariably felt on sitting down to reply? These questions troubled her. Nor was she troubled by what was passing in her own mind alone. She saw instinctively that the movements and acts of those around her had a mysterious and equivocal appearance. The dejection of her father, the sudden departure of Raoul, his prolonged absence, the attitude of the baroness, all these alarmed her. The glow of health upon her cheek was disappearing; her full dark eyes were losing their fullness and lustre; her cheerful temper was gradually becoming changed. In order to explain, if she could, the trouble and embarrassment which she experienced in the presence of Bernard, she tried to hate him. She knew that it was since his arrival that she had lost the calm and freedom of her young days. She accused him, in her heart, of too readily accepting the hospitality of a family whom his father had despoiled. She said that he ought to have sought a nobler employment for his courage and his youth, and regretted that he had not more pride and dignity. Then turning her thoughts towards Raoul, with every determination to love him, mistaking her conscience for love and her love for hatred, she gradually and purposely avoid-

ed Bernard, renounced her walks in the park, ceased to appear in the saloon, and secluded herself in her chamber. Reduced to the intimacy of the baroness and the Marquis, since Mlle de La Seiglière was no longer present to veil with her sincerity, innocence and beauty, the intrigues and ruses of which he was the sport, Bernard became sombre, eccentric and irascible.

It was then that the Marquis, by a resolution which merits all the epithets which Madame de Sévigné lavishes upon the marriage of a grand-daughter of Henry IV. to a cadet of Gascony, suddenly determined to suffer the humiliation which M. Des Tournelles had pointed out as the only way of safety which remained to him in this lower world.

*To be Continued.*

## HON. HENRY WASHINGTON HILLIARD,

OF ALABAMA.

THE reputation of the public men of every country is the property of the nation, and illustrates the character of the government. This is especially so in the United States, where the invigorating influence of our free institutions is displayed in the lives of those who, deriving no aid from wealth or powerful connections, rise from the level of common exertion to distinction, and reach stations which interest the whole country in their history.

The position which the Hon. Henry W. Hilliard has attained among the public men of the United States, is another instance of this influence which our brief history has furnished, and will make the following sketch of his life, up to the present moment, acceptable to our readers in every part of the country. He is a native of North Carolina, but shortly after his birth his parents removed to Columbia, in the State of South Carolina, where he grew up to man's estate. He was educated at the South Carolina College—an institution justly celebrated for the learning of its faculty, the number of distinguished men who have taken its degrees, and the enlightened patronage which it receives from the State. He graduated with distinction at eighteen; and, as a proof of the early bias of his mind towards politics, it may be stated that the oration which he delivered on the occasion had for its subject, "The tendency of the American Government to exalt the character of its people." In his youth he enjoyed the rare advantage of associating with men of mature minds, who had already reached distinction, but who extended to one whose aspirations after honorable preferment, and whose strong sympathy with intellectual exertion even then interested them, a friendship which cheered and stimulated him;—such men as Preston, Legaré, and others, who, at that time, exhibited in the Legislature of South Carolina, those great

powers that have since earned for them the noblest national fame.

Mr. Hilliard, after leaving college, entered immediately upon the study of the law, which he prosecuted for some time in Columbia; but a desire to engage as early as possible in the practice in a new field, induced him to remove to Georgia, where he continued the study for nearly two years longer in the office of Judge Clayton, at Athens. Within a few days after reaching his twenty-first year, he was admitted to the Bar. At that time, when about to enter upon the career of manhood, he adopted those religious sentiments which he still entertains, and connected himself with the Methodist Episcopal Church—a church characterized by the earnestness of its faith, and the strong resemblance of some of its usages to Puritan habits. Of this Church he has ever since continued a member, engaging in its service, and unhesitatingly complying with its forms, which enjoin upon him the duty of proclaiming, at times in public, the truths of the Christian system. He commenced the practice of law; but in a few months he was invited to fill a chair in the University of Alabama, and one of the subjects confided to him was the Constitution of the United States. After two or three years of service there, which he employed not only in instruction but in study, he resigned his appointment. Shortly after, having removed to Montgomery, he resumed the practice of his profession with great success.

In 1838 the political course of Mr. Hilliard begins. The Hon. Dixon H. Lewis at that time represented the Montgomery district in Congress, and, having adopted Mr. Calhoun's plan of the Sub-Treasury question, he undertook, upon his return home, to bring his constituents to the support of that measure in a series of able numbers which he published over the

signature of a "Nullifier." Most of the aspiring men of that part of Alabama fell in with Mr. Lewis' opinions; but Mr. Hilliard offered to them a very vigorous opposition. He replied to the articles of Mr. Lewis as they appeared, in the leading Whig paper of Montgomery, in six letters, over the signature of "Junius Brutus;" and he succeeded in rallying the great body of the Whig party against the doctrines which Mr. Lewis vainly strove to establish. These papers attracted great attention; and while Mr. Lewis' numbers were attributed to "a determination on the part of certain politicians of the extra session to bring over the nullifiers to the support of Mr. Van Buren's administration," Mr. Hilliard's replies were hailed as "an argumentative and eloquent refutation of Mr. Lewis' views." In the summer of 1838, Mr. Hilliard was elected to a seat in the Legislature of his State, after an animated contest; and the triumph was regarded with pleasure, even in South Carolina, where the discussion to which we have referred had been observed with much interest. The most important paper published in Columbia expressed high gratification at the success "of the leading champion of the cause in refuting the arguments in Mr. Dixon Lewis' papers;" and it added, "the election of Mr. Hilliard is the decision of the controversy between 'Junius Brutus' (Mr. Hilliard) and 'A Nullifier,' (Mr. Lewis;) and this deed of the stripling with his sling and pebble, is an earnest of his future success. Mr. Hilliard is of our college—he left us some years since, carrying with him the best wishes and the high expectation of this community." Judge Smith, who had previously distinguished himself as a Senator of the United States from South Carolina, was, at that time, a member of the Alabama Legislature; and, in an elaborate speech, he urged that body to adopt resolutions instructing the Senators from that State to give their support to the Sub-Treasury scheme. The task of replying to him was assigned to Mr. Hilliard by his political friends in the House; and the manner in which he acquitted himself heightened the reputation which he had before acquired. His argument was a full one; and we find his views of the doctrine of instruction, as applied to Senators in

Congress, expressed with so much justness and force, that we regret our limited space will not allow us to quote them at length.

After advertng to Edmund Burke's splendid and philosophical exposition of the relation existing between the representative and his constituents, he proceeded to argue that the responsibility of a Senator of the United States to the Legislature of a State, was a peculiar and limited one. "It was the aim of the Constitution to ensure to the Senate of the United States a fixed and steady policy, to protect the exercise of an enlightened and independent judgment, and to encourage the influence of lofty and expanded considerations. In the representative branch of the National Legislature, every popular feeling, and even prejudice, is expected to be felt and exhibited; coming from the great body of the people, directly responsible to them, and holding offices for so brief a season, they are supposed to feel sensitively, and to reflect most faithfully every fluctuation in public sentiment. But the waves of popular commotion, which will sometimes, in the purest republics, and among the most generous people, rise too suddenly and mount too high, are expected to dash and break at the feet of a calm and unmoved Senate." Against the political features of the Sub-Treasury scheme, his argument was a triumphant one. He insisted that the Treasury Department should be under the control of Congress, and as little dependent as possible on the President; that "among the powers assigned to Congress, is the control of the public funds, in itself a very high trust. They [the representatives of the people] are to guard the treasure of the nation with unrelaxing vigilance, and no appropriation can be made without their action. It will at once be seen how deeply this arrangement concerns popular liberty, and any measure which proposes to disturb this adjustment of power, is condemned by the Constitution, and is hostile to the dearest public interests." Mr. Hilliard served but one session in the Legislature—professional engagements inducing him to decline a reelection. He took part, however, in the great contest of 1840. Having urged in the Harrisburg Convention, of which he was a member, the nomination of Mr. Clay without success, he returned to Ala-

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bama and threw himself into the contest for Gen. Harrison with his characteristic energy. Being the elector for his district, he canvassed it thoroughly, and carried it by an overwhelming majority for the Whig candidates. So powerful an impulse was given to the cause that it rolled its triumphant tide over South Alabama, and shook the mountain fastnesses of the northern portion of that State. In Georgia, too, Mr. Hilliard exerted himself, with the greatest success, for the interests of the Whig party.

The next year he was nominated for Congress, but the Legislature interfered in behalf of Mr. Lewis, and, for the first time, adopted the general ticket system—referring the question whether it should continue to be the mode of electing representatives, to the people, who decided that the district system should be restored. Mr. Hilliard received in his own district an overwhelming majority, but was, of course, defeated by the northern portion of the State.

In the summer of 1841, he was offered a foreign mission, which he declined; but in the spring of 1842, he was sent out as Minister to Belgium, to succeed the Hon. Virgil Maxey, who was about to return home.

His residence in Brussels brought him in contact with the representatives of other nations, and afforded him the opportunity of becoming extensively acquainted with the condition of the European States. His own countrymen travelling abroad received from him such attention as have been, on more than one occasion, the subject of public acknowledgements. One of our own citizens, residing in Albany, who, in company with three others from the State of New York, visited Brussels in 1843, described Mr. Hilliard "as *really* an American Minister and a *practical* republican." Mr. Hilliard voluntarily gave up his mission, and returned to the United States in the fall of 1844—having represented his country in a manner so satisfactory that he acquired the good will of the Belgian Government, while he enjoyed the confidence of his own; and while the Belgian journals of Brussels contained the most favorable notices of him when about to retire from the Belgian Court, he received from home an official assurance that

his resignation was accepted because it had been repeatedly tendered, and that his conduct was entirely approved. On his return he took part in the contest then going on, and warmly advocated the election of Mr. Clay. In the spring of the next year he was brought out as a candidate for Congress.

The Montgomery district was, at that time, represented by a democrat; and the task of redeeming it was not a light one. Mr. Hilliard was, however, elected and took his seat in the House of Representatives at the opening of the twenty-ninth Congress.

Since that time he has become well known to the whole country. A great question which came before Congress, excited the deepest concern in the public mind, and which gave rise to a protracted and powerful debate in both houses, afforded him the opportunity at once of exhibiting his powers. Mr. C. J. Ingersoll, chairman of the Committee on Foreign Affairs, soon after the opening of the session, reported to the house a resolution, instructing the President to give notice to the Government of Great Britain of our intention to terminate the joint occupancy of the Oregon Territory, the title to which had long been in dispute between the two countries.

Mr. Hillard made one of the first speeches upon the question, and took a position that was new and bold; he proposed to amend Mr. Ingersoll's resolution, which *instructed* the President to give the contemplated notice *forthwith*, so as to *empower* the President to give the notice, *at such time as, in his judgment, the public welfare might require it*, thus transferring the responsibility from Congress to the Executive, where it properly belonged. His speech in support of his views was pronounced on all sides to be a most triumphant one. It made a profound impression on the house and the country, and he at once took rank with the first debaters in Congress. Political and personal friends gathered about him with their congratulations, and among the members, the venerable Mr. Adams was observed to approach and grasp him by the hand, saying with deep feeling, "Sir, I can forbear no longer; I am come to congratulate you; I think you have settled the question."

Mr. Hillard was disposed to maintain our title to Oregon with firmness, but at the same time he desired to avoid a war if it could be done without too great a sacrifice of the rights and the dignity of the American Government. It seemed to him that peace between the two countries, and our own interests, could both be better served by action, than by the further postponement of a settlement of the question. A paragraph or two from his speech will present his views :—

"There are occasions when, to save what is dear to us, it becomes necessary to act promptly;—to act with decision, and to act immediately, is often the only way to act with effect. I do not see that we have any course left but to act, whether we regard the perpetuity of peace or the possession of the territory in dispute. If we would avoid war, we must have the causes of war passed upon and settled. It is not always by adjourning over great, and difficult, and delicate questions, that war can be avoided. Our condition in regard to Oregon is such as to demand action—intelligent, prompt, decisive, comprehensive action. If we should leave this question open, in the present state of the two countries, who can avoid seeing that war is inevitable ?

"When Lord Ashburton returned to England, after having successfully arranged the difficulties about the northeastern boundary, and was congratulated in the British Parliament on his success, I believe that experienced statesman said that the national sky was then clear and without a cloud, saving one minute speck upon the horizon, which he did not doubt would soon disappear. But how has his prediction been fulfilled ? That little speck, then no bigger than a man's hand, and scarce perceptible on the far-off margin of the heavens, has since become a dark, and lowering, and portentous cloud ; it has swept over the face of the sky, and hangs all over our northwestern frontier, gloomy as night. The whole aspect of the question is changed ; and, if we wish now to maintain our position as the friends of peace, it is time we awoke to action. We must assert our rights ; we must shun a temporizing policy ; we must adopt vigorous measures, and carry them to the very farthest verge to which they can be maintained without a violation of the terms of the convention. Otherwise, we shall find that the population of the two nations intermixing in that remote territory, carrying with them the prejudices and heat of the contending parties, protected by and amenable to conflicting jurisdictions, entering into the eager competition of trade—will, at no distant day, precipitate us into a war with Great Britain.

"Nor, sir, is the danger of war all that is involved in the adjournment of this question ; we incur the danger of losing the territory altogether. And why do I think so ? From the whole colonial history of the British empire. There was a time when Spain possessed great and extensive colonies, but they have dwindled away. There was a time when France could boast of her colonies, but they have dwindled away. There was a time when Holland swept the seas with her fleets, and held important colonial possessions, but they have dwindled away. In the mean time Great Britain has gone on, growing in strength, extending her power, and spreading her armies abroad, into every part of the habitable world. Her language, her laws, her military prowess, fill both hemispheres, while she has belted the globe with her fortresses, to say nothing of her colonies. The British people and their Government well understand the management of colonies. When in Europe, a short time since, a distinguished British diplomatist said to me, "Sir, France does not understand how to manage colonies ; we do understand it ;" and he spoke the truth. Since the year 1609, Great Britain has acquired no less than forty-one colonies, twenty-four of which she has obtained by settlement, nine by capitulation, and eight by cession. In the possession of Oregon, she seeks to plant herself there permanently, and is employing all her power and all her skill to establish her authority over the greater part of that region."

He admitted that the measures which he advised might lead to war. He should sincerely deplore such a result. He had no sympathy with the warlike spirit which had been manifested by others upon the floor. He said :

"Peaceful triumphs alone are those which I seek—the benign victories of reason and truth. These I desire, and none other. If, however, while pursuing such a policy—a policy wise, vigorous, but conciliatory, war should come upon us, I trust the country will be prepared to meet it. If it should come upon us as the result of a moderate but firm assertion of our national rights, the response in every American bosom must be, "Let it come." The venerable gentleman from Massachusetts near me, (Mr. ADAMS,) in tones which rang on my heart like a trumpet, reminded me of the days of our revolutionary glory. The old fire which blazed so brightly in that ever memorable struggle, seemed to be flashing up within him ; and, whilst I listened to his patriotic strains, I felt assured that in such a cause we should all act as one man. If we should go into the war in this spirit, I should feel little anxiety as to how we should

come out. The power of England is fast approaching the culminating point. It must soon reach that climax in the history of nations from which they have, one after another, commenced their decline; and she ought not to enter into a contest with a great Power. If wise counsels prevail, she will not. Yet, if she should be so irrational, on the ground of such a controversy as that of Oregon, as to rush into such a contest, I trust that she will be driven back from these shores shorn of her splendor; and she may be very sure that when this happens, it will prove no temporary eclipse, but will endure for all time to come; and she will be left a portent in the political heavens,

'Shedding disastrous twilight over half the nations.'

He felt the greatest solicitude to secure an important possession on the Pacific coast, because he believed that it would contribute to the wealth, the power, and the glory of the country. At that time we had no other possessions on that distant region than those which we might be able to secure in Oregon, and he fully estimated the advantages which an establishment there would give us in prosecuting our trade with Southern China. We quote from the conclusion of his speech the following passage:—

"In either of the views which I have presented, it is impossible that the importance of Oregon can be overlooked. I trust that these great results will be realized, and I hope at no distant day to see a mail line established across the continent. England has very recently been engaged in an experiment in ascertaining the shortest overland route across the continent of Europe to the East Indies; and I believe the Oriental Steam Company has determined upon that through Germany, by Trieste; but if we construct this railroad, she will then be dependent on us for the shortest and most expeditious, as well as the safest route to China and her East India possessions. Is not the language of Berkley in the progress of fulfillment, when he wrote that immortal line—

'Westward the star of empire takes its way.'

When Oregon shall be in our possession, when we shall have established a profitable trade with China through her ports, when our ships traverse the Pacific as they now cross the Atlantic, and all the countless consequences of such a state of things begin to flow in upon us, then will be fulfilled that vision which rapt and filled the mind of Nunez as he gazed over the placid waves of the Pacific.

"I will now address myself for a moment to

the moral aspect of this great question. Gentlemen have talked much and eloquently about the horrors of war. I should regret the necessity of a war; I should deplore its dreadful scenes; but if the possession of Oregon gives us a territory opening upon the nation prospects such as I describe, and if, for the simple exercise of our rights in regard to it, Great Britain should wage war upon us, an unjust war, the regret which every one must feel will at least have much to counterbalance it. One of England's own writers has said: 'The possible destiny of the United States of America, as a nation of one hundred millions of freemen, stretching from the Atlantic to the Pacific, living under the laws of Alfred, and speaking the language of Shakspeare and Milton, is an august conception.'

"It is an august conception, finely embodied; and I trust in God that it will, at no distant time, become a reality. I trust that the world will see, through all time, our people living, not only under the laws of Alfred, but that they will be heard to speak throughout our wide-spread borders the language of Shakspeare and Milton. Above all is it my prayer that, as long as our posterity shall continue to inhabit these mountains and plains, and hills and valleys, they may be found living under the sacred institutions of Christianity. Put these things together, and what a picture do they present to the mental eye! Civilization and intelligence started in the East; they have travelled and are still travelling westward; but when they shall have completed the circuit of the earth, and reached the extremest verge of the Pacific shores; then, unlike the fabled god of the ancients, who dipped his glowing axle in the western wave, they will take up their permanent abode; then shall we enjoy the sublime destiny of returning these blessings to their ancient seat; then will it be ours to give the priceless benefits of our free institutions, and the pure and healthful light of the Gospel, back to the dark family which has so long lost both truth and freedom; then may Christianity plant herself there, and while, with one hand she points to the Polynesian isles, rejoicing in the late recovered treasure of revealed truth, with the other present the Bible to the Chinese. It is our duty to aid in this great work. I trust we shall esteem it as much our honor as our duty. Let us not, like some of the British missionaries, give them the bible in one hand and opium in the other, but bless them only with the pure word of truth. I hope the day is not distant—soon, soon may its dawn arise—to shed upon the farthest and the most benighted of nations the splendor of more than a tropical sun."

Mr. Hilliard was a member of the Committee of Conference, which disposed of the question by reporting a resolution as

to the notice almost identical with that which he had proposed, and it was carried through both Houses by large majorities.

At the same session, he was entrusted by the Committee of which he was a member, with the duty of inquiring into the expediency of opening a communication with Europe by a line of Mail Steamers of our own, and he presented an elaborate report in favor of the enterprize, of which the House ordered five thousand extra copies to be printed; and a bill, framed in accordance with its views, was passed.

Utterly opposed as he was to the usurpation of authority with which the President conducted the operations of our armies against Mexico, he steadfastly sustained the cause of the country, by voting on every occasion in favor of granting the supplies of men and money which the Administration asked for carrying on the war, from the first to the last, incurring with some others who thought as he did, the censure of those who felt it their duty to arrest hostilities by depriving our Government of the means of repelling them. In one of his speeches on the war, he said:—

"But first, as to the war. This is the great theme of the message—the prominent colossal figure in the foreground of the picture, about which the other objects are grouped in humbler and smaller proportions. I suppose it must be so; our foreign relations, with the single unhappy exception referred to, are all of the most amicable kind; our internal tranquillity is perfect; the vast resources of our country are in a course of prosperous development. There is but the one check to our prosperity; but for this, the President informs us, the public debt would have been discharged, and we might now have been engaged in plans for increasing the happiness of our people, and advancing in our high career of civilization. But, though it must be admitted that war is a calamity, yet I cannot bring myself to agree with those who think it best to arrest all our movements against Mexico. I concur in opinion with a distinguished Senator from Delaware, (Mr. J. M. CLAYTON,) who, some days since, took occasion to say, that he was decidedly in favor of sustaining the Government in the prosecution of the war. My honorable friend from Philadelphia, (Mr. J. R. INGERSOLL,) has avowed the same determination. I do not see that any other course is left us. The question is not now, whether we shall plunge into a war or not; the question is, a war having been commenced, shall we sustain it, or shall we let it go

down? Shall we infuse new vigor into the war, by voting the men and the money asked for, or shall we withdraw all support from the war, and arrest it before it has accomplished its objects?

If the question were now presented to me, between peace and war, I should undoubtedly be in favor of peace. But no such election is presented to us. The spectacle before us is a war in progress; our own country on one side, a foreign country on the other; our own country, at every step which our armies take, holding forth an offer of peace, an offer which the enemy as yet have shown no disposition to entertain. This is enough for me. I range myself on that side on which I see the standard of my country. The question before Congress is, "Shall we prosecute this war?" On that question I cannot hesitate for a moment. The Constitution has conferred on Congress the prerogative of declaring war. We have recognised the war, and by that vote we have made the Chief Magistrate responsible for the mode of conducting it. So long as the President is thus responsible, by the theory of our Government, he is charged with the conduct of the war. He is invested with all the authority which belongs to that important station. It is for us to say how far we will go in voting supplies; and it must be a great crisis, one such as I have never yet seen, and which has never occurred in our history, which would warrant me in refusing to vote them. Other gentlemen must of course decide for themselves; these are my convictions. I shall, therefore, while I should be happy to see this war brought to a speedy and honorable termination, continue to sustain the Government in its prosecution, till such terms of peace as we ought to accept can be secured. I trust, too, that this will be the sentiment of the whole country. So far, the progress of the war has been marked by a self-sacrificing and patriotic spirit, which illustrates our free institutions, and by victories as remarkable and brilliant as any which history records. Whatever regrets may be felt at the interruption of the long career of peace which our country has enjoyed, we have at least gratifying proof that it has left no enervating influence on the national character."

He added: "We ought not to strike with a view to dismember the possessions of a weaker people, but our operations ought to be characterized by unfaltering energy, and by such a putting forth of strength as shall teach those against whom they are directed that it is their interest to seek a speedy peace. I would accept the first sign of such a disposition on the part of Mexico; and so far from degrading or

crushing her, I would meet her with the most generous terms. They should be marked by the magnanimity of a great nation treating with a weak one."

Upon the proposition which has been more than once brought forward in Congress, to exclude slavery from the territory acquired from Mexico, Mr. Hilliard has expressed himself with great force and clearness. He regards the proposition as neither patriotic nor in accordance with the spirit of the Constitution. This question is one of acknowledged magnitude and difficulty. Mr. Hilliard views it as a southern representative, but he uniformly treats it as a great American question, involving our highest interests and appealing to the patriotism of the whole country. He insists that the principle of the Wilmot Proviso is unjust and dangerous—originating in no real concern for the condition of the slave, but prompted by a desire to aggrandize one section of the Union at the expense of the other. He has at all times vigorously resisted what he conceives to be a threatened encroachment upon the rights of the South, but he has as steadfastly contended for the preservation of the Union. His opinions of this great question are expressed with so much clearness in his speech viewing the policy of Mr. Polk's administration, in the House of Representatives on the 24th of July, 1848, that we quote a passage from it.

"In regard to the authority of Congress over the Territories of the United States I desire to give my views. The question, at all times an interesting one, has now assumed great practical importance. The first proposition which I shall state is, that Congress possesses exclusive power to legislate for the Territories of the United States. Of this I do not entertain a doubt; and, while I have heard various opinions expressed here in regard to this subject, I am at a loss to see how any one who examines it can reach any other conclusion. That the whole power over the Territories originally rests in Congress is perfectly clear, and it remains for those who assert that the right to legislate in respect to them belongs to the people who inhabit them to show at what time the power is transferred from Congress to the inhabitants. But, sir, this question has been so often examined here that I will not consume my limited time in considering it.

"My second proposition is, that while Congress possesses the exclusive power of legis-

lation for the Territories, that power is by no means an unlimited one. It is just here that gentlemen often fall into error. Exclusive does not mean unlimited. The power to which I refer is exclusive, in that it acknowledges no co-ordinate jurisdiction; but it is restricted, as are all powers delegated to Congress. While Congress, then, undertakes to exercise the power of exclusive legislation for the Territories, it is bound to carry on its legislation in reference to the character of the States of this confederacy from which it derives the power. It must regard the rights of all the States, and cannot, without an abuse of power, legislate for the benefit of one section at the expense of another; it is an abuse of its power, as an agent for the States, I care not whether the legislation be for the benefit of the South at the expense of the North, or for the benefit of the North at the expense of the South.

"This brings me to my third proposition, which is, that Congress is not, in its legislation for the Territories, to look to their welfare alone, but is bound to regard the good of the parties interested in the ownership of the Territories. This, it will be perceived, is in direct opposition to the opinions advanced by a distinguished gentleman from Massachusetts, the successor of Mr. Adams, (Mr. Mann,) in his beautiful introductory speech in this hall—a speech which, I confess, I listened to with admiration, though I strongly dissented from some of its sentiments. The gentleman insists that Congress, in legislating for the Territories, must look to their good alone, and shape all measures so as to advance their prosperity without any regard to the rights of the people of the several States. This doctrine, though it has a certain charm about, is wholly erroneous. Let us apply this reasoning to the Territory of Oregon, which, stretching along the Pacific coast, fronts certain parts of Northeastern Asia. Would Congress have a right to say that this Territory should be occupied only by colonists from China because a prosperous trade might be attained with the East, and the prosperity of Oregon rapidly advanced if that course were taken? Unquestionably not. Or, suppose that Congress should happen to conclude that it was important to the welfare of that Territory to allow only a manufacturing population to remove there, would it be proper to legislate for this object? Unquestionably not.

"The gentleman from Massachusetts considers territory which we acquire as the property of this Government, and insists that Congress possesses the right to control it absolutely. This is a very common error. It results from a certain system of political training. If our Government were a monarchy, and all powers, or the sovereign power, centered in the crown, the argument might hold good; or it might be

maintained if the States which we represent were consolidated into one great empire. But, sir, ours is a federative republic; it bears no resemblance to an empire whatever; it is a structure unlike what the world ever saw, deriving its powers from sovereign States, who are members of this confederation; and this Government, this General Government, can exercise none but the powers which are clearly granted to it by the States. Whatever territory is acquired, is acquired for the people of the several States, and Congress must remember to exercise its legislative functions in regard to it as their agent."

There are other fully reported speeches of Mr. Hilliard's which we feel strongly disposed to examine and quote from, but our want of room will not allow it. He has participated in the debates which have arisen in Congress upon all the great questions affecting the country since he became a member, and his efforts have exhibited a thorough acquaintance with the subjects which they touch, while they are characterized by the spirit of the enlightened and christian age in which we live. In the speech from which we have just quoted, he says—

"California and New Mexico are ours, and costly acquisitions we must admit them to be; Yucatan has barely escaped our grasp; and what other neighboring provinces are next to be overrun, and conquered, and annexed, no man tell. Our true policy is peace. We are set apart by a dividing ocean from the Old World; we have nothing to do with its complicated system; we have no balance of power to preserve; no intervention to make in the affairs of other nations. We should desire friendly relations with every people, entangling alliances with none. When the rights or the honor of the country demand it we will go to war, as we have done twice with great Britain; but war is too great a calamity and too much opposed to the principles of Christian civilization for any insufficient cause. With the blessing of God we shall advance rapidly enough in a career of peace. Our political system is at once great and economical; it should be kept so; we need never go to war to extend our territory or to increase our wealth and power. Patrick Henry said, in the true American spirit, 'Those nations which have gone forth in search of grandeur, power, and splendor, have also fallen a sacrifice and been victims to their own folly.'

"I was struck last summer with an article which met my eye in one of the best reviews of our day, a French review, '*La Revue des Deux Mondes*,' in which the writer says:

"The spectacle which North America offers us to-day is nothing less than the whole of the new continent learning to recognize its masters in the Anglo-Americans, in education; and the simple and beautiful constitution of 1789, after half a century only of existence, extending an influence under which all must come, sooner or later."

"This great triumph, if we are true to our principles, will be accomplished without arms."

His speech in support of the appropriation for sending a minister to Rome is so deeply imbued with the spirit to which we have referred, that we cannot forbear from giving a short passage from it. He said—

"I regret that the opportunity was not afforded me of replying to the speech of my honorable friend from Pennsylvania, (Mr. Levin,) before the committee proceeded to vote on the appropriation, which provides the means of opening diplomatic intercourse with the Papal States. The speech was remarkable for the beauty of its language and the elevated tone of many of its sentiments, but it lacked one great quality—liberality. There was about it nothing of toleration; it disclosed none of the spirit of the beautiful sentiment of St. Augustine, 'Let there be charity in all things.'

"I cannot, of course, within the few minutes allowed me, attempt to reply to the speech of the honorable gentleman, but I shall seek an early occasion to do so, when I hope to be able to show that there is much in the present condition of Italy to awaken the hopes of all men who watch with interest the progress of reform throughout the world. In the meanwhile, let us not, in our impatience, forget that there is a mighty difference between reform and revolution. A reformation is brought about by the steady and gradual march of truth; while a revolution, like the earthquake, too often upheaves to overthrow and crush. That a reform has begun in Italy no man can doubt who will take the trouble to compare the present political state of that country with that which it exhibited previous to the accession of the present Pontiff. The spirit of reform is waked up in that beautiful and classic land. It can never be put down. While a representative of the freest Government on earth may be employed in observing the progress of liberal principles in that interesting and important part of Europe, and may serve to diffuse a better knowledge of our political system, I cannot discern that we can suffer any injury from such intercourse.

"In my judgment, neither Christianity nor free principles have anything to fear from a

conflict with opposing powers. I would send a minister to the Papal States, as I would to any other Power. I would encourage every reform in the Government. I would cheer the friends of freedom, in all Europe, by sending a minister from the United States of America, where the noblest toleration is granted to all opinions, to reside at a Court where hitherto the policy has been to crush all freedom of thought and action. It would be a spectacle of high moral interest, to such a representative from Republican America, taking his post amidst the ruined temples and arches of a country where in other days Republican Rome exhibited to the world its colossal proportions. \* \* \* \* \* My honorable friend and myself do not differ in our horror of an intolerant and dangerous system; but we do differ in our views of the true policy to be pursued towards the Papal power. We both desire to sustain the Bible, and to vindicate Protestant Christianity. I need not say that I am no partizan of the Pope; on the contrary there breathes not a man whose sympathy with the Protestant cause beats stronger or quicker than my own. I can never forget its battles nor its victories, its persecutions nor its triumphs. But, sir, I solemnly believe that *toleration* is the wisest as well as noblest policy. \* \* \* \* \* Our true policy is to extend our peaceful relations with the world. We have nothing to fear from an intercourse of that kind with other Powers. Truth is clad in more than triple steel; and I would bid her to spread her standard in the very midst of the world, and take her station in front of the Vatican. By keeping the Papal See isolated, you strengthen it. It carries on its agencies in secret. Bring it upon the open field; do not shun it; bring it into open intercourse with a free Protestant nation, and civil and religious liberty will achieve new triumphs."

While, however, Mr. Hilliard has shown a disposition to recognize and encourage the first efforts made by every people to establish free institutions, his remarks upon the resolutions offered in the House upon the reception of the news of the overthrow of the government of Louis Philippe, show, at the same time, that he does not mistake every popular outbreak for a national struggle for liberty. He moved to refer the resolutions to the Committee on Foreign Affairs, saying, "He simply desired to secure a proper expression of the sympathy which we felt in that movement. The occasion," said he, "is one of no common moment—it must deeply affect the cause of mankind throughout the world. I am not ready to extend the

sympathy of this Government to any people who overturn a throne to plunge into the wild, unrestrained and reckless experiment of ideal liberty. Every kingless government is not of necessity a republican government. Liberty cannot exist without law; its elements must be consolidated, and its great principles be embodied in a Constitution. The great movement in France must develop institutions before it accomplishes any permanent good for the French people. I confess I am not free from apprehension with regard to the future. The convulsion which exhibits a form so attractive to-day, may yet upturn the foundations of society, and result in the wildest anarchy. On the other hand, there is in the great popular movement, which has so suddenly and so successfully expelled royalty from France, much of promise for that beautiful country and for mankind. I solemnly believe that the time has come when king-craft has lost its hold upon the human mind: the world is waking from its deep slumber, and mankind begin to see that the right to govern belongs not to crowned kings, but to the great masses. \* \* \*

"I think, sir, that we ought to sustain our Minister, Mr. Rush, who so promptly, without the opportunity of consulting his Government, hailed the popular movement which expelled a powerful dynasty and proclaimed a Republic. It was a generous impulse which prompted the act, and the country will applaud it. There are, certainly, some features in the scene that France presents, not wholly agreeable to a thoughtful observer, and which awakens the apprehension that the Provisional Government just established, has promised more than it can redeem. The *fraternité* which has been adopted may not be consistent with regulated liberty; it may be the dream of idealists and not the conception of a philosophical statesman. The measure, too, which has been adopted in regard to the labor and wages of operatives, doubling their compensation and undertaking to employ them on the part of the Government, is a very unsafe one. Every one accustomed to the order of a well regulated liberty must see the danger of such legislation. It partakes too much of a system of social reform—it is too impracticable to be easily realized. Still, these

may be but temporary arrangements, designed to give the new government time to adjust the complicated details of the great task which has been undertaken. These are circumstances that may awaken apprehension, but they cannot repress sympathy. No, sir, they cannot prevent the expression of our deep and full sympathy with a people struggling to make a free government like our own. I, for one, cannot look on such a spectacle unmoved. It may be premature—it may even be rash, but I should feel myself unworthy of a seat in an American Congress if I could refuse to cheer a people engaged in such a work. May they go on and prosper, and may they erect upon the soil of France a government resting upon the great principles of constitutional law, ensuring order at home, commanding respect abroad, and throwing over Europe the clear and steady light of rational liberty.”

Mr. Hilliard possesses an acquaintance with Foreign Affairs that has made him a distinguished and useful member of the Committee to which they are referred for consideration in the House. His report on the subject of our Foreign Missions, made at the first session of the last Congress, is an elaborate review of the whole diplomatic system, full of information, and suggesting certain modifications in our intercourse with other nations, which seemed to him to be required by the dignity of the country and its growing power and resources. This course of study and his residence in Europe, both qualify him for usefulness in that department of public affairs.

His recent election is the most brilliant triumph of his life. One of the first to discover in Gen. Taylor those great qualities that fit him for places of high trust in the service of his country, he was conspicuous in giving impulse to the movement which resulted in his triumphant election. In the Philadelphia Convention he did his utmost to secure his nomination, and on the adjournment of Congress he threw his energies into the contest in Alabama, and contributed his efforts towards bringing that state so nearly to the support of the whig candidates. After Gen. Taylor's election, Mr. Hilliard, having unbounded confidence in his character and principles, was willing to confide to his administration

the settlement of all open questions, including that of providing governments for the new territories. Hence he refused to participate in any mode of action that seemed to imply distrust; and he declined to put his name to the address prepared by Mr. Calhoun, and issued by a portion of the southern members to their constituents. Faithful as a southern representative—steadfastly opposed, as he had shown himself to be, to any encroachment on the rights of the section from which he comes, he did not, it seems, think it his duty to co-operate in that movement. He had, besides, expressed it as his firm purpose to exert whatever power he possessed for effecting a settlement of the important question which so deeply interested the country and threatened its tranquillity, so as to secure the rights of the South without impairing the strength of the Union. This course subjected him to the fiercest assaults on his return to Alabama, and a canvass ensued which is described as far the most excited ever witnessed in that state or, perhaps, in the Union. The most formidable opposition was organized against him—an opposition to which talent, energy, and money were freely contributed as elements, and unparalleled efforts were made to ensure his defeat. The press and the stump teemed with the most violent denunciations against him: his speeches and votes were misquoted and misinterpreted to make him odious to the people. His refusal to sign the address sent out by some of the Southern members, was represented to be conclusive proof that he was faltering in the vindication of Southern rights; while certain appeals which he had made in Congress in behalf of the Union—appeals which were intended to rouse the patriotism of the representatives from every part of the country—were tortured into open renunciations of the section which had given him birth, and which had advanced him to honors. The contest, relentless, implacable and heated, drew the attention of the whole state, and was observed with interest in other parts of the Union. Eloquent and influential gentlemen of both parties entered the lists, and extraordinary exertions were made on either side. Mr. Hilliard is described as having borne himself throughout the protracted and trying

contest with the most determined manliness, never for a moment yielding a principle or asking a concession—staking every thing upon the open field. He met the opposition in the most fearless spirit; defied the combination against him; entered the arena in person; appealed to the people throughout his extensive district, and addressed them in mass-meetings; brought the question before them in all its relations, involving in its ultimate settlement the honor of the South, the safety of the Union, and the glory of the nation; and insisted that, under Gen. Taylor's administration, we should be able to maintain "the RIGHTS of the States, and the UNION of the States." He emerged from the contest with a triumphant majority, and he returns to his seat in Congress—which he has filled with such distinguished ability, and with the increased confidence of his constituents and his country—to employ his powers still farther in the service of both. He is just reaching the prime of manhood, and we may hope that a long career of usefulness and distinction opens before him.

Mr. Hilliard as an orator, enjoys a wide and enviable reputation. His speeches are characterized by comprehensiveness and liberality. Generous in sentiment, candid in opinion, inclined to the most favorable construction of action and conduct, he ever

deals justly and liberally with an opponent. But when provoked by any low or unfair attack, his sarcasm is irresistible. Keen as the blade of Saladin, it cuts to the quick or leaves excoriations that smart through life. In his wielding it is a fearful weapon, never used unless deserved, but when used scathing to an unmeasured degree. Many of his speeches, during his late canvass, in grandeur of style, indignant declamation, wit, and burning sarcasm, would have earned him distinction among the first orators of any day or country. His style of oratory, when engaged in earnest discussion upon a great question, is thought to bear a strong resemblance to that of Fisher Ames, vividly recalling that eloquent statesman to the memory of those who are acquainted with his peculiar manner. He requires an occasion to arouse him to his best efforts; but his powers are most advantageously displayed when encountering a formidable opposition. He is characterized by energy, firmness, and unswerving adherence to the principles which he professes.

Of Mr. Hilliard's literary attainments we have not space to say anything. He has been a Regent of the Smithsonian Institution from its organization, and still continues to manifest the deepest interest in the success of that great establishment.

## JANE AUSTEN.

I REMEMBER Jane Austen, the novelist, a little child; she was very intimate with Mrs. Lefroy, and much encouraged by her. Her mother was a Miss Leigh, whose paternal grandmother was a sister of the first Duke of Chandos. Mr. Austen was of a Kentish family, of which several families have been settled in the Weald, and some are still remaining there. When I knew Jane Austen I never suspected she was an authoress, but my eyes told me that she was fair and handsome, slight and elegant, but with cheeks a little too full. The last time I saw her was at Ramsgate, in 1803: perhaps she was then about twenty-seven years old. Even then I did not know that she was addicted to literary composition.—SIR EGERTON BRYDGES.

YOU mention Miss Austen; her novels are more true to nature, and have (for my sympathies) passages of finer feeling than any other of this age. She was a person of whom I have heard so well, and think so highly, that I regret not having seen her, nor ever had an opportunity of testifying to her the respect which I feel for her.—SOUTHEY, (*in a letter to Sir E. Brydges.*)

THE brightness and beauty of the morning have induced me to go down in the garden, and there read and write. The trees are now in blossom. The peach with its delicate blush color, beautiful bell-shape, the lips turning backward and exposing the entire beauty of the flower, is mingled with the white blossom of the plum, and that of the cherry twining its lovely flowers all around the long straight branches, from end to end, not a leaf to be seen except those that come as a green crowning ornament at the tip of each bough—and, sweetest of all, there are the apple blossoms, fresh, delicate and modest,—a blending of the rose and the lily. Countless bees are diving down to the very heart of the flowers, and with a perpetual and drowsy hum make pleasant music to

the ear. Some white pigeons on the roof are cooing and bowing amourosly, and finely contrast with the blue back ground of the sky. The picturesque elm trees are leafing out in broad masses of a refreshing green.

Ah, friends! methinks it were a pleasant sphere,  
If, like the trees, we blossomed every year;  
If locks grew thick again, and rosy dyes  
Return'd in cheeks, and raciness in eyes  
And all around us, vital to the tips,  
The human orchard laughed with cherry lips.

Jane Austen was born on the sixteenth day of December, 1775, at Steventon, in Hampshire, in which parish her father was rector for upwards of forty years, remaining there till he had passed three score and ten, faithfully discharging the duties of his office.

The love of Christ and his Apostles twelve  
He taught; but first, he followed it himself.  
CHAUCER.

He then retired to Bath with his wife, Jane, and her sister, where he died in about four years. He was a man of taste and acquirements, and gave the direction to his daughter's talents. After his death, his wife and her two children retired to Southampton, and subsequently to the village of Chawton, in the same county, where Jane wrote her novels, four of which were published anonymously in her life time, namely: "*Sense and Sensibility*," "*Pride and Prejudice*," "*Mansfield Park*," and "*Emma*." A fair constitution, regular habits, calm and happy pursuits, seemed to promise her a long life, but in May, 1817, her health rendered it necessary that she should remove to some place where constant medical aid could be obtained. She went to Winchester, and there expired on the 24th day of July in the same year, aged forty-two. For two months before her death she suffered great pain and wear-

ness, natural to drooping and fading life, with unflinching patience. Her memory, judgment, temper and warm affections, were unimpaired to the last. While she could write with a pen she did so; when that became inconvenient, she used a pencil. Her last words, in reply to the questions of what could be done for her, were, "I want nothing but death." She thanked her physician for his attention, and received the sacrament before she became exceedingly weak: she was buried in the Cathedral church of Winchester.

It is said that of personal attractions she possessed a considerable share, her figure was fine, her deportment quiet and graceful, her countenance expressive of cheerfulness, sensibility and benevolence. Her complexion was superb; the blood spoke in her modest cheek through "the pearly texture of her dainty skin." Her voice was sweet, her language fluent and precise. She was formed to enjoy and adorn elegant society. She was a good musician, and fond of dancing in which she excelled, as she did also in drawing. She was considerate as regards the frailties and foibles of others, although fully alive to them, and never uttered either a hasty, a silly, or a severe expression. Her manners were exceedingly pleasant, and those who once met her had a strong desire to become better acquainted with her, and to gain her friendship. Her mein was tranquil and serene. She became an author entirely from taste and inclination, when neither the hope of fame or gain mingled with her motives.

It was with great difficulty her friends could persuade her to publish her first work, and she thought its failure so certain, and that its sale would not repay her publisher, that she retained a part of her small income to meet the expected loss. How great was her surprise when "*Sense and Sensibility*" brought her a clear profit of £130. With all her great talents she was unpretending, although gratified to hear the applause that from time to time reached her ears from those whose judgment she highly valued. She shrank from the idea of attaching her name to any of her productions, although amid her own family she talked of them freely and modestly, was glad of their praise, and submissive to their criticism.

The poet's name,  
And hero's—on the brazen book of time,  
Are writ in sunbeams, by Fame's loving hand;  
But none record the household virtues there.

In company she turned away from any mention of herself as an author.

She was a warm admirer of fine landscapes, both on canvass and in nature. Gilpin, on the picturesque, fascinated her at an early age, and she seldom changed her opinion either of books or men. Her memory was excellent, and her reading extensive. Johnson and Cowper were her favorite moral authors. Her natural discrimination was gratified by Richardson's power of creating, and preserving the consistency of his characters, as he has done in Sir Charles Grandison. Her power of inventing characters was intuitive, she studied from nature. But better than all these endearing qualities and talents, she was thoroughly devout, fearful of giving offence to God or to any of his creatures. In one of her letters in reply to a mock charge of purloining from the manuscripts of a young relation, she writes: "What should I do, my dearest E——, with your vigorous and manly sketches, so full of life and spirit? How could I possibly join them on to a little bit of ivory, two inches wide, on which I work with a brush so fine as to produce little effect after much labor."

The following extract is from a letter written a few weeks before her death:—"My attendant is encouraging and talks of making me quite well. I live chiefly on the sofa, but am allowed to walk from one room to another. I have been out once in a sedan chair, and am to repeat it, and be promoted to a wheel chair as the weather serves. On this subject I will only say further, that my dearest sister, my tender, watchful, indefatigable nurse, has not been made ill by her exertions. As to what I owe to her, and to the anxious affection of all my beloved family on this occasion, I can only cry over it and pray God to bless them more and more." She concludes in this vein: "You will find Captain —— a very respectable, well-meaning man, without much manner; his wife and sister all good humor and obligingness, and I hope, (since the fashion allows it,) with rather longer petticoats than last year." Ah, Jane, the last sentence savors

of old maidishness. Can morality or immorality be judged by the length of petticoats and skirts, or by their shortness? A Swiss peasant girl is as likely to be modest as a fine lady with a long trail to her dress.

Miss Austen's novels are entirely unexceptionable, naturally and ably written. Her characters you seem to have known all your life, to have been with them and listened to their conversation in the sitting room, or by the dining table, and to have walked with them in parks, fields, and by the road side. You see into their very hearts, become acquainted with their virtues, foibles and vices. For instance, let any one take up *Pride and Prejudice*; they will never forget Mr. and Mrs. Bennet, or Elizabeth, Ann, or Lydia, with her intense love for officers, or the pompous and empty Sir William Lucas, the foolish Collins, tedious, and with a skull of solid proof, impenetrably dull; the haughty, vain and silly Lady Catherine de Bourgh, the good hearted but wavering Bingley, and his sister, proud, scheming and heartless, or the sensible, well-bred Mr. and Mrs. Gardiner, the sleek villain Wickham, or the proud, generous Darcy, who is at last compelled to love and wed Ann Bennet in spite of the vulgarity and offensive manners of her mother. The story of this courtship is well told.

Miss Austen possessed good sense and pure religious feeling, not ostentatiously put forth, but winding like a thread of gold through all her writings, beautifying and enriching her genius. No particular moral, no dogma is inculcated in her stories. They give a true picture of life, of men and women as they really are, not as the imagination often dresses them up, and we see characters such as she describes, daily. The drawing and coloring is so correct and true, the outline so definite, that it seems as if any one could write novels equally good. In this respect they are deceitful enough, reminding us of the inimitable grace and flowing ease, the felicitous endowments, and the copiousness of Goldsmith, apparently easily to be imitated, but their naturalness and style have hitherto been unapproached. Doctor Johnson's style was happily copied by all, from lottery dealers to utterers of heavy sermons from well cushioned pulpits.

To interesting narrative, Miss Austen adds sound principles, and inculcates unsophisticated manners, integrity and rectitude, over the more common and artificial pretensions of society. Her discrimination, quiet humor and delineation of character have never been surpassed. A very intelligent writer speaks of novels in the following strain, and I heartily concur with his views. "If all literary fiction could be withdrawn and forgotten, and its renovation prohibited, the greater part of us would be dolts, and what is worse, unfeeling, ungenerous, and under the debasing dominion of the selfishness of simple reason. It has always appeared to me that those who cautiously keep novels from young people mistake the nature of the mind, thinking it only intellect, and would cultivate the understanding alone. Imagination they look upon as an ignis fatuus to be extinguished if possible—an ignis fatuus arising out of a quagmire, and leading astray to one. There is nothing good comes from the intellect alone. The inventive faculty is compound, in which the imagination does the most work; the intellectual portion selects and decides, but collects not the materials. All true sentiment, all noble, all tender feeling, comes not of the understanding, but of that mind or heart, if we so please to call it—which imagination raises, educates and perfects. Even feelings are to be made—are much the result of education. The wildest romances will in this respect teach nothing wrong. If they create a world somewhat unlike the daily visible, they create another which is a reality to the possessor, to the romantic, from which he can extract much that is practical, though it may seem not so; for from hence may spring noble impulses, generosity and fortitude. It is not true that such reading enervates the mind. I firmly believe it strengthens it in every respect, and fits it for every action, by unchaining it from a lower and cowardly caution. Who ever read a romance that inculcated listless, shapeless idleness. It encourages action and endurance. We have not high natures till we learn to suffer. I have noted much the different effect troubles have upon different persons, and have seen the unromantic drop like sheep under the rot of their calamities, while the romantic have been buoyant, and mastered them. They

have more resources in themselves, and are not bowed down to one thought, nor limited to one feeling; in fact, they are higher beings. The caution professes mainly to protect women; yet, among all the young women I have been acquainted with, I should say that the novel-readers are not only the best informed, but of the best nature, and some capable of setting examples of a sublime fortitude—the more sublime because shewn in a secret and all-enduring patience. Who are they that will sit by the bed-side of the sick day and night, suffer privation, poverty, even undeserved disgrace, and shrink not from the self-imposed duty, but those very young women in whom the understanding and imagination have been equally cultivated, so as to render the feelings acute and impulsive? and these are novel readers. Love, it is said, is the only subject all novels are constructed upon, and such reading encourages extravagant thoughts, and gives rise to dangerous feelings. And why dangerous? And why should not such thoughts and feelings be encouraged? Are they not such as are requisite for wife and mother to hold, and best for the destiny of woman—best in every view—best, if her lot be a happy one, and far best if her lot be an ill one? For the great mark of such an education is endurance—a power to create a high duty, and energy and patience, where both are wanted. Women never sink under any calamity but blighted affection; and we love them not less, we admire them not less, that they do sink then, for their heroism is in the patience that brings and that awaits death.”

Poor Mrs. Bennet with her mean understanding, little information, and variable temper! when she was discontented she fancied herself nervous. The business of her life was to get her daughters married; its solace was visiting and news. “You take delight (she exclaims) in vexing me. You have no compassion on my poor nerves. Don’t keep coughing so Kitty, for heavens sake! have a little compassion on my nerves. You tear them to pieces.” “Kitty has no discretion in her coughs,” said her father, “she times them ill.” “I do not cough for my own amusement,” replied Kitty fretfully. Mrs. B., speaking of Bingley’s sisters, says “they are charming women. I never saw in my life any thing

more elegant than their dresses; I dare say the lace upon Mrs. Hurt’s gown —” here she was interrupted. “The Lucases,” continued Mrs. Bennet, “are very artful people indeed, sister. They are all for what they can get. I am sorry to say it of them, but so it is. It makes me very nervous and poorly, to be thwarted so in my own family, and to have neighbors who think of themselves before any body else. However, your coming just at this time is the greatest of comforts to me, and I am very glad to hear what you tell us of long sleeves.”

“It is amazing to me,” said Bingley, “how young ladies can have patience to be so very accomplished as they all are.” “All young ladies accomplished! My dear Charles what do you mean?” “Yes, all of them I think. They all paint tables, cover screens, and net purses. I scarcely know any one of them who cannot do all this, and I am sure I never heard a young lady spoken of for the first time without being informed that she was very accomplished.”

*Mansfield Park*, is a most delightful novel, and finely displays the discriminating taste and judgment of Miss Austen. In describing fools she is truly Shaksperian, and in this very production she has hit off the character of Rushworth inimitably well. There is likewise a capital portrait of a Mrs. Norris, who is always dictating liberality to others, but herself mean, plotting and disingenuous, one of those well meaning people who are always doing mistaken and very disagreeable things. The Miss Bertrams are fine, showy, fashionable girls, accomplished, in the worldly sense of the word, but vain, cold, and unfeeling, their heads somewhat cultivated, but their hearts a rank wilderness, from whence spring no wholesome fruits or lovely flowers. Lady Bertram paid not the smallest attention to the education of her daughters. She had not time for such cares. She was a woman who spent her days in sitting nicely dressed on a sofa, doing some long piece of needle work, of little use, and no beauty, thinking more of her pug than her children, but very indulgent to the latter when it did not put herself to inconvenience, being one of those persons who think nothing can be dangerous or difficult, or fatiguing to any body but themselves.

Dear Fanny Price is the most interesting character in this novel, and we love her from the moment she appears at Mansfield Park, a little girl of ten years old, as unhappy as possible, afraid of every body, ashamed of herself, and longing for the home she had left; she knew not how to look up, and could scarcely speak to be heard, or without crying. Mrs. Norris had been talking to her of her wonderful good fortune, and the gratitude and good behaviour it ought to produce, and her consciousness of misery was therefore increased by the idea of its being a wicked thing for her not to be happy. In vain did Lady Bertram smile, and make her sit on the sofa with herself and pug, and vain was even the sight of a gooseberry tart towards giving her comfort, and sleep seeming to be her likeliest friend, she was taken to finish her sorrows in bed. The growth of her love for her cousin Edmund Bertram, is exquisitely narrated. On what slender grounds she feeds her gentle passion, a few kind looks, some pleasant words; a few grateful acts suffice her: the description of her scarcely conscious jealousy of Miss Crawford are in the finest style of novel writing. Miss Austen could never have written this sweet story of love without having experienced it herself, with all its rapturous enjoyments and torturing fears.

Miss Crawford, handsome and selfish, gifted with much tact, and with no principles to interfere with the gratification of her schemes of vanity and ambition, soon secures Edmund in her strong toil of grace. "Miss Crawford's attractions did not lessen. The harp arrived, and rather added to her beauty, wit, and good humor, for she played with the greatest obligingness, with an expression and taste which were peculiarly becoming, and there was something clever to be said at the close of every air. Edmund was at the parsonage every day to be indulged with his favorite instrument; one morning secured an invitation for the next, for the lady could not be unwilling to have a listener, and every thing was soon in a fair train. A young woman, pretty, lively, with a harp as elegant as herself, and both placed near a window, cut down to the ground, and opening on a little lawn, surrounded by shrubs in the rich foliage of summer, was enough to catch

any man's heart. The season, the scene, the air, were all favorable to tenderness and sentiment. Mrs. Grant and her tumbour frame were not without their use; it was all in harmony; and as every thing will turn to account when love is once set a going, even the sandwich tray, and Dr. Grant doing the honors of it, were worth looking at. Without studying the business, however, or knowing what he was about, Edmund was beginning, at the end of a week of such intercourse, to be a good deal in love; and to the credit of the lady it may be added, that without his being a man of the world or an elder brother, without any of the arts of flattery or the gaities of small talk, he began to be agreeable to her. She felt it to be so, though she had not foreseen, and could hardly understand it; for he was not pleasant by any common rule; he talked no nonsense, he paid no compliments, his opinions were unbending, his attentions tranquil and simple. There was a charm perhaps in his sincerity, his steadiness, his integrity, which Miss Crawford might be equal to feel, though not equal to discuss with herself. She did not think very much about it, however; he pleased her for the present; she liked to have him near her; it was enough."

The plot of Mansfield Park is simple enough, but it gave ample opportunity for the display of Miss Austen's genius and purity of heart. A sensible critic observes that our fair authoress depends for her effect upon no suprising adventures, upon no artfully involved plot, upon no scenes deeply pathetic or extravagantly humorous. She paints a society which, though virtuous, intelligent, and enviable above all others, presents the fewest salient points of interest and singularity to the novelist—we mean the society of English country gentlemen. Whoever desires to know the interior life of that vast and admirable body, the rural gentry of England—a body which absolutely exists in no other country on earth, and to which the nation owes many of its most valuable characteristics—must read the novels of Miss Austen. In these works the reader will find very little variety, and no picturesqueness of persons, little to inspire strong emotion, nothing to excite wonder or laughter, but he will find admirable good sense, exquisite dis-

crimination, and an unrivalled power of easy and natural dialogue.

*Sir Walter Scott*, in his *Diary*, March 1826, remarks as follows: "I have amused myself occasionally very pleasantly during the last few days, by reading over Lady Morgan's novel of O'Donnell, which has some striking and beautiful passages of situation and description, and in the comic part is very rich and entertaining. I do not remember being so much pleased with it at first. There is a want of story always fatal to a book the first reading—and it is well if it gets a chance of a second. Alas, poor novel! Also read again, and for the third time at least Miss Austen's very finely written novel of *Pride and Prejudice*. That young lady had a talent for describing the involvements and feelings and characters of ordinary life, which is to me the most wonderful I ever met with. The Big Bow-Wow strain I can do myself like any now going; but the exquisite touch which renders ordinary common-place things and characters interesting from the truth of the description, and the sentiment, is denied me. What a pity such a gifted creature died so early!" A pity indeed.

*Persuasion*, is considered one of the very best of Miss Austen's six novels. It is certainly a most artist like performance, the plot, story, and its conclusion are alike perfect. The characters I have not a doubt were taken from life. They are instinct with vitality, and make a lasting impression on the reader's mind. This novel opens spiritedly with a description of a foolish baronet. "Sir Walter Elliot, of Killynch-hall, in Somersetshire, was a man who, for his own amusement, never took up any book but the *Baronetage*; there he found occupation for an idle hour, and consolation in a distressed one; there his faculties were aroused into admiration and respect, by contemplating the limited remnant of the earliest patents; there any unwelcome sensations arising from domestic affairs, changed naturally into pity and contempt. As he turned over the almost endless creations of the last century—and there, if every other leaf were powerless, he could read his own history with an interest which never failed—this was the page at which the favorite volume always opened. Elliot of Killynch-Hall: Walter Elliot, born March 1, 1760, &c. Eliza-

beth did not quite equal her father in personal contentment. Thirteen years had seen her mistress of Killynch-Hall, presiding and directing with a self-possession and decision which could never have given the idea of her being younger than she was. For thirteen years she had been doing the honors, and laying down the domestic law at home, and leading the way to the chaise and four, and walking immediately after Lady Russell out of all the drawing rooms and dining rooms in the country. Thirteen winters' revolving frosts had seen her opening every ball of credit which a scanty neighborhood afforded; and thirteen springs shown their blossoms, as she travelled up to London with her father, for a few weeks of annual enjoyment of the great world. She had the remembrance of all this, she had the consciousness of being nine and twenty, to give her some regrets and apprehensions. She was fully satisfied of being still quite as handsome as ever; but she felt her approach to the years of danger, and would have rejoiced to be certain of being properly solicited by baronet blood within the next twelve months or two. Then might she again take up the book of books with as much enjoyment as in her early youth, but now she liked it not. Always to be presented with the date of her own birth, and see no marriage follow but that of a youngest sister, made the book an evil, and more than once, when her father had left it open on the table near her, had she closed it, with averted eyes, and pushed it away." Sir Walter becomes embarrassed; he had given Elizabeth some hints of it the last spring in town; he had gone so far even as to say, "can we retrench? does it occur to you that there is any one article in which we can retrench?—and Elizabeth in the first ardor of female alarm, set seriously to think what could be done, and finally proposed these two branches of economy: to cut off some unnecessary charities, and to refrain from new furnishing the drawing room; to which expedients she afterwards added the happy thought of their taking no present down to Anne, as had been the usual yearly custom. These petty suggestions of economy did not stay the torrent. Killynch-Hall is finally rented to a frank, good hearted Admiral, named Crofts, a most genial personage, with a considerable sprinkling of oddities. The

Elliot's retire to Bath, and there Anne in walking along the streets, meets the Admiral standing by himself at a print shop window, with his hands behind him, in earnest contemplation of some print, and she might not only have passed him unseen, but was obliged to touch, as well as address him, before she could catch his notice. When he did perceive and acknowledge her, however, it was done with all his usual frankness and good humor. "Ha! is it you? Thank you, thank you. This is treating me like a friend. Here I am, you see, staring at a picture. I can never get by this shop without stopping. But what a thing here is, by way of a boat. Do look at it. Did you ever see the like? What queer fellows your fine painters must be, to think that any body would venture their lives in such a shapeless old cockleshell as that. And yet, here are two gentlemen stuck up in it mightily at their ease, and looking about them at the rocks and mountains, as if they were not to be upset the next moment, which they certainly must be. I wonder where that boat was built! (laughing heartily.) I would not venture over a horsepond in it. Well, (turning away,) now, where are you bound? Can I go any where for you, or with you? Can I be of any use?"

Anne Elliot's love for Captain Wentworth, and its history, form the most interesting part of "*Persuasion*." She had loved him in girlhood, but prudential reasons, and the advice of relations prevented their union. She was young, and he was poor, though full of life and ardor, and confident of success in his profession. The engagement between them is broken. A few months had seen the beginning and the end of their acquaintance; but not with a few months ended Anne's share of suffering from it. Her attachment and regrets had for a long time clouded every enjoyment of youth; and an early loss of bloom and spirits had been their lasting effect. All his sanguine expectations and confidence had been justified. Soon after their separation he had obtained employment, he had distinguished himself, and by successive captures had made a handsome fortune. "How eloquent could Anne Elliot have been! how eloquent, at least, were her wishes on the side of early, warm attachment, and a cheerful confidence in fu-

turity, against that over-anxious caution which seems to insult exertion, and distrust Providence! She had been forced into prudence in her youth, she learned romance as she grew older—the natural sequel of an unnatural beginning." They meet after seven years absence—the course of true love, in their case, did not run smooth. I must make one extract. "Have you finished your letter?" said Captain Harville, (to Captain Wentworth.) "Not quite, a few lines more. I shall have done in five minutes." "There is no hurry on my side. I am only ready whenever you are. I am at very good anchorage here, (smiling at Anne,) well supplied, and want for nothing. No hurry for a signal at all. Well, Miss Elliot, (lowering his voice,) as I was saying, we shall never agree I suppose upon this point. No man and woman would, probably. But let me observe that all histories are against you, all stories, prose and verse. If I had such a memory as Benwick, I could bring you fifty quotations in a moment on my side of the argument, and I do not think I ever opened a book in my life which had not something to say upon woman's inconstancy. Songs and proverbs, all talk of woman's fickleness. But perhaps you will say, these are all written by men." "Perhaps I shall. Yes, yes, if you please, no reference to examples in books. Men have had every advantage of us in telling their own story. Education has been theirs in so much higher a degree; the pen has been in their hands. I will not allow books to prove anything."

"But how shall we prove anything?"

"We never shall. We never can expect to prove anything upon such a point. It is a difference of opinion which does not admit of proof. We each begin probably with a little bias towards our own sex, and upon that bias build every circumstance in favor of it which has occurred within our own circle; many of which circumstances, (perhaps those very cases which strike us the most,) may be precisely such as cannot be brought forward without betraying a confidence, or in some respects saying what should not be said."

"Ah!" cried Captain Harville, in a tone of strong feeling, "if I could but make you comprehend what a man suffers when he takes a last look at his wife and children, and watches the boat that he has

sent them off in, as long as it is in sight, and then turns away and says, 'God knows whether we ever meet again.' And then, if I could convey to you the glow of his soul when he does see them again, when, coming back after a twelve month's absence, perhaps, and obliged to put into another port, he calculates how soon it be possible to get them there, pretending to deceive himself, and saying, 'They cannot be here until such a day,' but all the while hoping for them twelve hours sooner, and seeing them arrive at last, as if Heaven had given them wings, by many hours sooner still! If I could explain to you all this, and all that a man can bear and do, and glories to do for the sake of these treasures of his existence! I speak, you know, only of such men as have hearts," pressing his own with emotion.

"Oh," cried Anne, eagerly, "I hope I do justice to all that is felt by you, and by those who resemble you. God forbid that I should undervalue the warm and faithful feelings of any of my fellow creatures. I should deserve utter contempt if I dared to suppose that true attachment and constancy were known only by woman. No; I believe you capable of everything great and good in your married lives. I believe you equal to every important exertion, and to every domestic forbearance so long as—if I may be allowed the expression—so long as you have an object. I mean, while the woman you love lives, and lives for you. All the privilege I claim for my own sex (it is not an enviable one, you need not covet it) is that of loving longest, when existence or when hope is gone." She could not immediately have uttered another sentence, her heart was too full, her breath too much oppressed.

"You are a good soul," cried Captain Harville, putting his hand on her arm, quite affectionately. "There is no quarrelling with you. And when I think of Benwick, my tongue is tied." Their attention was called towards the others. Mrs. Croft was taking leave. "Here, Frederick, you and I part company, I believe," said she. "I am going home, and you have an engagement with your friend. To-night we may have the pleasure of all meeting again, at your party," (turning to Anne.) "We had your sister's card yes-

terday, and I understood Frederick had a card, too, though I did not see it; and you are disengaged, Frederick, are you not, as well as ourselves?"

Captain Wentworth was folding up a letter in great haste, and either could not or would not answer fully.

"Yes," said he, "very true; here we separate, but Harville and I shall soon be after you; that is, Harville, if you are ready, I shall be in half a minute. I know you will not be sorry to be off. I shall be at your service in half a minute. Mrs. Croft left them, and Captain Wentworth having sealed his letter with great rapidity, was indeed ready, and had even a hurried, agitated air, which showed impatience to be gone. Anne knew not how to understand it. She had the kindest "good morning, God bless you," from Captain Harville; but from him not a word nor a look. He had passed out of the room without a look. She had only time, however, to move closer to the table where he had been writing, when footsteps were heard returning; the door opened; it was himself. He begged their pardon, but he had forgotten his gloves; and instantly crossing the room to the writing table and standing with his back towards Mrs. Musgrove, he drew out a letter from under the scattered paper, placed it before Anne with eyes of glowing entreaty fixed on her for a moment, and hastily collecting his gloves, was again out of the room, almost before Mrs. Musgrove was aware of his being in it—the work of an instant! The revolution which one instant had made in Anne, was almost beyond expression. The letter, with a direction hardly legible, to Miss A. E——, was evidently the one which he had been folding so hastily. While supposed to be writing only to Captain Benwick, he had been also addressing her! On the contents of that letter depended all which this world could do for her! Anything was possible, anything might be defied rather than suspense. Mrs. Musgrove had little arrangements of her own, at her own table: to their protection she must trust, and sinking into the chair which he had occupied, succeeding to the very spot where he had leaned and written, her eyes devoured the following words:

"I can listen no longer in silence. I

must speak to you by such means as are within my reach. You pierce my soul. I am half agony, half hope. Tell me not that I am too late, that such precious feelings are gone for ever. I offer myself to you again, with a heart even more your own, than when you almost broke it eight years and a half ago. Dare not say that man forgets sooner than woman; that his love has an earlier death. I have loved none but you. Unjust I may have been, weak and resentful I have been, but never inconstant. You alone have brought me to Bath. For you alone I think and plan. Have you not seen this? Can you fail to have understood my wishes? I had not waited even these ten days could I have read your feelings, as I think you must have penetrated mine. I can hardly write. I am every instant hearing something which overpowers me. You sink your voice, but I can distinguish the tones of that voice, when they would be lost on others. Too good, too excellent creature! You do us justice, indeed. You do believe that there is true attachment and constancy among men. Believe it to be most fervent, most undeviating in

F. W."

It is needless to say that the parties soon understood one another after this letter.

*Sense and Sensibility* is full of interest, with a good plot, and great diversity of character. The contrast between Elinor and Marianne Dashwood is very effective. Elinor, with an excellent heart, an affectionate disposition, and strong feelings, knew how to govern them. Marianne, sensible, but eager in everything. There was no moderation in either her sorrows or her joys. She was amiable, interesting, everything but prudent. Sir John and Lady Middleton are an interesting couple. He hunted and shot, and Lady Middleton was a mother: these were their only amusements. Lady Middleton had the advantage of being able to spoil her children all the year round, while Sir John's employments were in existence only half the time. On the first call of the Miss Dashwoods, Lady M. had taken the wise precaution of bringing with her their eldest child, a boy of about six years old, by which means, as Miss Austen says, there was one subject always to be resorted to by the ladies in case of extremity, for they had to inquire his name and

age, admire his beauty, and ask him questions, which his mother answered for him, while he hung about her, and held down his head. On every formal visit a child ought to be of the party, by way of provision for discourse. Lady Middleton's children must have been like those of the family where Lamb was visiting, and who was excessively annoyed by them,—at the dinner table he gave for a toast, "*the memory of the good King Herod.*"

The maternal complacency of Lady M. is boundless. "John is in such spirits to-day," said she on his taking Miss Steele's pocket handkerchief, and throwing it out of the window. "He is full of monkey tricks." And soon afterwards, on the second boy's violently pinching one of the same lady's fingers, she fondly observed, "how playful William is! And here is my sweet little Anna-maria, and she is always so gentle and quiet. Never was there such a quiet little thing. But unfortunately, in bestowing these embraces, a pin in her ladyship's head dress slightly scratching the child's neck, produced from this pattern of gentleness such violent screams as could hardly be outdone by any creature professedly noisy. The mother's consternation was excessive; but it could not surpass the alarm of the Miss Steeles; and everything was done by all three, in so critical an emergency, which affection could suggest as likely to assuage the agonies of the little sufferer. She was seated in her mother's lap, covered with kisses, her wound bathed with lavender water by one of the Miss Steeles, who was on her knees to attend her, and her mouth stuffed with sugar plums by the other. With such a reward for her tears, the child was too wise to cease crying. She still screamed and sobbed lustily, kicked her two brothers for offering to touch her; and all their united soothing were ineffectual, till Lady Middleton luckily remembering that in a scene of similar distress last week, some apricot marmalade had been successfully applied for a bruised temple, the same remedy was eagerly proposed for this unfortunate scratch, and a slight intermission of screams in the young lady on hearing it, gave them reason to hope that it would not be rejected. She was carried out of the room, therefore, in her mother's arms, in quest of this medicine; and as the two boys chose

to follow, though earnestly entreated by their mother to stay behind, the four young ladies were left in a quietness which the room had not known for many hours."

In drawing the characters of Mrs. Jennings, and Mr. and Mrs. Palmer, Willoughby, Colonel Brandon, Edward Ferrars, the two Miss Steeles, Miss Austen has shown a surprising knowledge of human nature. Mrs. John Davy, in her family Journal, under the date of December, 1831, at Malta, says, in returning from Mr. Frere's, Sir Walter Scott spoke with praise of Miss Ferrier as a novelist, and then with still higher praise of Miss Austen; of the latter he said, "I find myself every now and then with one of her books in my hand. There's a finishing off in some of her scenes that is really quite above every body else."

*Emma*, and *Northanger Abbey*, of the writings of Miss Austen only remain, on which we shall say but a word or two. From *Emma* we should like to make one quotation, but we refrain from so doing; we allude to the important *talk* on the comparative merits of Dr. Perry and Dr. Wingfield, and one of the strangely jumbled together conversations of Miss Bates, but not having the heart of Dogberry, who if he had possessed the tediousness of a king, was willing to inflict it on every one, we hasten on to Mr. John Thorp, in *Northanger Abbey*, who refused to take his sister out riding because she had thick ankles, and who had a horse that *could not* go less than ten miles an hour; even with his legs tied he would get on: and Catharine Morland, who, after reading Ann Radcliff's romances, and visiting Northanger Abbey, fancies every old chest and cabinet contains some interesting memorial of the past; and the first night she passes in the abbey brings fear and trepidation with it.

What a cheap and delightful pleasure reading is. These novels of Jane Austen I have read thrice, each time with renewed pleasure. They are always charming. I take them up in happy moments, and they cheer me in unhappy ones,—for sorrow comes to all. Even in solitude they introduce you to the most agreeable company, for all Jane Austen's characters are either old friends, or persons that you are confident are living somewhere on the earth,—you listen to their conversation—you know

the tones of their voices. They seem to be in the very room with you.

How much Miss Austen has added to our round of harmless amusements. How much instruction is stamped on her pages. How clearly are displayed the viciousness of ill temper, procrastination, coquetry, affection, jealousy, meanness, and the many minor faults that embitter life. Every good novel is full of instruction. No one ever employed their genius to a better purpose than our fair authoress.

Thou thy worldly task has done,  
Home art gone, and ta'en thy wages.

And as Waller writes,

All that we know they do above  
Is, that they sing, and that they love.

And surely no one was better fitted for such a sphere than Jane Austen. I commenced the reading of these volumes last summer, when the trees were covered with blossoms, and the air was mild and balmy. During the last few days the rain has fallen incessantly, the winds are roaring and sobbing above the chimney, and rattling against the doors and windows. The walks are strewn with yellow leaves, torn and swept from the trees, and the air is also thick with them. Within, the fire-place has been bright with the flames of a crackling wood fire, and two happy hearts, worthy to be happy, have filled the room with sunshine. I unconsciously nestle near the cheering flame—as the storm drives against the house in angry gusts. Such is the season in which to read an entertaining novel or romance.

When heavy, dark, continued a' day rains  
Wi' deepening deluges o'erflow the plains.

BURNS.

The storm has passed over. The glittering sunshine almost turns the dead leaves into things of beauty. My favorite nasturtiums, beautiful and hardy, again twinkle forth joyously. I have ascended the neighboring hills—the view is lovely—the air clear, sparkling and bracing. Some cattle "with meek mouths ruminant," are quietly standing in the sunshine, others eagerly crop the short rich grass. In a neighboring field a boy is driving oxen before a plough—his voice, and the cawing

of some crows are the only sounds that now break the utter stillness. Hark, they are blasting rocks on the line of the rail road. The reverberations echo like the booming of heavy artillery. Sloops are passing up and down the Hudson, and distant objects in the transparent atmosphere seem close at hand.

"The golden orb of the sun is sunk behind the hills, the colors fade away from the western sky, and the shades of evening fall fast around me. Deeper and deeper they stretch over the plain; I look at the grass, it is no longer green; the flowers are no more tinted with various hues; the houses, the trees, the cattle, are all lost in the distance. The dark curtain of night is let down over the works of God; they are blotted out from view, as if they were no longer there."

After my return from my walk, in turning over the leaves of some favorite poets, I met with the following passages that exactly harmonize with the present tone of my feelings. Reader, I know you will enjoy their genial and philosophical spirit.

"Autumn, the princely season, purple rob'd,  
And liberal handed brings no gloom to us,  
But rich in its own self, gives us rich hope  
Of winter times; and when the winter comes,  
We burn old wood, and read old books that  
wall

Our biggest room, and take our heartiest walks  
On the good, hard, glad ground; or when it  
rains

And the rich dells are mire, make much and  
long

Of a small bin we have of good old wine;  
And talk of, perhaps entertain some friend.

Let Winter come! let polar spirits sweep  
The darkening world, and tempest-troubled  
deep!

Though boundless snows the wither'd heath  
deform,

And the dim sun scarce wanders through the  
storm,

Yet shall the smile of social love repay  
With mental light, the melancholy day.

And, when its short and sullen noon is o'er,  
The ice-chain'd waters slumbering on the  
shore,

How bright the faggots in his little hall  
Blaze on the hearth, and warm the pictur'd  
wall."

G. F. D.

## LIFE AND WRITINGS OF COLERIDGE.

## CHAPTER II.

THE philosophical system of Coleridge may be popularly characterized as that of Plato, or rather of the later Platonists, with the refinements and additions of the more correct science of the moderns. To distinguish it from pantheistic systems, it will be necessary to give some idea of these; characterizing each in the fewest words possible.

To begin, then, with the pantheism of Spinoza. In this system of ideas we find in the first place, all substance, and all the powers of nature, comprehended in a divine unity, and created of one essence with it—nay, totally confounded with it. God is everything, and everything is in and of Deity. Now, of this scheme, we observe; first, that the author of it does not provide for the separate being of souls, beings, profound sources, reason, and the rest. These are only certain forms of one universal *substance*, out of which also were derived the atoms of matter and the principles of life.

The Understanding, upon which this idea is begotten by speculative reason, being itself of a negative character, dealing, indeed, solely in negations, cannot work outside the region of necessitated *matter*, nor by any striving enter into that of *life*, much less into that of *souls*; and is limited to the final conception of a certain *absolute nothing*—the “Ancient Night” of primeval theology.

The next species of Pantheism, and which was an almost universal attendant of heathenism, refers all things, Reason and the soul included, to an UNIVERSAL LIFE, or self-willed principle—which produces Beings and Existences by resolving itself into them—by “hatching” them within itself. This is the physiological pantheism of the inferior Brahmins. The pantheism of Spinoza, arising upon an exclusive contemplation of the laws of matter and mechanism, is thus strongly in contrast with

this second variety of pantheism, which is derived from a too exclusive study of the phenomena of life. The first is the pantheism of the Buddhists, and perhaps very generally of the modern democratic French philosophy, which carries all existence back to universal negation, and infinite night. The second has its defenders among the Brahmins, and some modern poets, who confound the Divine Energy with Life Energy, and reduce all things to a chaos of impulses. This last system seems to be peculiarly a growth of imagination, as the other is of understanding.

By a skillful use of the understanding, a faculty which will be found on the strictest examination to deal only in lines, limits, relations, and generally in the negative class of abstractions; a modern philosopher, Kant, has shown, in his critic of Pure Reason, that it produces nothing, makes no positive additions to truth, establishes no premises, and finally proves nothing without the aid of certain premises or assumptions furnished by Reason or experience. By demolishing the pretensions of the old logic, which made as though it would increase the quantity of truth by working over and over the same meager abstractions, or assumptions, this philosopher cleared the ground for the restoration of the true and only philosophy of Reason.

He had shown that the understanding is a merely analytical organ of the intelligence; that it does not *furnish* any thing; that it is an organ used merely to analyze, to classify, to show the necessary relations of things and events. He separated and defined the modes of its operations, in the various conceptions of cause, and of concurrence; of a substance and its properties; in numbers and in geometrical relations; in the abstract conceptions of time, space, and substance; and concluded by demonstrating, that our know-

ledge of right and wrong, of good and evil, &c. proceeds neither from imagination, experience, nor understanding, but from a higher source, which he did not attempt to characterize or define. He was content simply to indicate its existence.

Kant also showed that no reliance can be placed on experience, or in other words, on the use of perception, for the proof of any absolute truth. That either absolute truth was a nonentity, and quite impossible, or it must be attained by some other process than the working of mere understanding upon experience. Every *empirical* conclusion, that is to say, every conclusion from experience, he showed must have its exceptions; and that no man can know when it may happen to him, that the best experience of his life may be bettered by farther experience. Nothing in regard to right and wrong can be demonstrated, unless we admit the existence of a faculty for it, lying in the superior mind. This faculty, or power, may be named Reason.

Just as the eye is sensible to light, and light itself is also an affection of the eye; and if certain properties had not been communicated to the eye, light would not have been perceived; so the properties of objects would not give rise to the perceptions of things and events, had not the organ of perception, and that of understanding, been internally fitted for their several functions.

But things and events in the mental organ itself, are a mere image, and not the *real* outside things and events. Just as the physiological effect of light is not the same with that mechanical light, or cause of light, which lies in luminous objects. The ideas of events and things formed in the mind, belong to the subject—that is, to the mind itself; when on the contrary, the perceptive and understanding faculties are actually engaged with nature, when the eye sees, the ear hears, the perception receives, and the understanding *knows* things and events, looking as it were into nature, and nature penetrating into them, the effects of all things entering so together into the soul, as to create there lively images, which move with the objects. As images in the camera move with the movement of their external objects, there is then a vital and effective communication between the soul and nature, through the joint functions of perceiving and knowing: and this is the

*objective* condition, as distinguished from the meditative or *subjective*.

The *subjective* condition, again, is when we meditate with a consciousness that our ideas are not real, but proceed from our own interior selves.

Again; when we meditate on the perception of an object, we find that we are engaged with images, only, lying in the organs of perception. The organs of perception, when in a healthy state, have images in them only while the senses are in connection with external nature; it is with these *images* that the thinking and meditative faculty has to content itself.

If the reader will weigh the matter patiently in his mind, he may perhaps, by this distinction of Subject and Object, understand the most difficult things. To recapitulate:

1. The real outside things and events of nature, produce certain effects of light, color, touch, &c., upon the bodily senses.

2. These effects, though they pass in through separate channels of sense, are reunited into perfect images of things and events by the organs of perception.

3. The various images thus formed in perception, are the materials upon which understanding and imagination exercise their powers, and from which they abstract their *ideals*, their *experiences*, their *fancies*, and their *memories*.

The perception perceives *mediately*, through the various organs of sense; so that, for example, in looking at a ball of gold, there enters into the eye, not *gold*, but a yellow color; and in touching it, the sense receives, not *gold*, but a certain heaviness, &c., &c., and the reunion of these sensuous properties in the perception, gives a notion of a ball of gold as a *thing*, and of its motion as an *event*. Both the thing and the event, as images, lie merely in perception, just as the image of the moon, and not the moon itself, lies in the eye. Kant's conclusion from this train of reasoning, was, that we do not *know* or perceive *things in themselves*—we do not understand or know, or get abstract notions of the moon, but only of an image of the moon, formed in perception—we do not understand motions of bodies, but only images of such motions formed in the perception.

Nevertheless, by an exercise of another and quite superior faculty, a faculty of de-

termining relations, we know that the mental image must correspond with its objects; we therefore act upon the evidences of sense as true; and are thus kept in active and constant relation with the unknown real world about us.

Our animal faculty of perception presents images of things and events as they pass before us.

At the same time our *understanding* shows us that the course and order of these things and events is governed by certain laws, and orderly recurrences. The abstract laws appearing to the understanding, correspond with certain *real* laws, existing in nature; *for, if things in nature agree with images in perception, laws in nature agree with laws in understanding.*

It is necessary here to observe, that Kant does not advance this proof. He contents himself with showing that the so called "laws of nature," are in understanding; but he did not seem to perceive that their existence in nature also, is demonstrable by the same argument which shows the existence of real things in nature; an argument which he, himself, was the first to use among the moderns.

To carry this argument a step higher. The superior Reason, which is able, as every one knows, to make use both of understanding and imagination at the same time; that Power, finding in Imagination certain images of life, force, power, beauty, &c., and in understanding certain laws, and necessities; will, by the union of both, attain the ideas of rational beings existing out of itself; in other words, it will attain to a knowledge of creatures like itself, living out of itself. Ideas indeed of an immensely abstract and elevated order—but which are so necessary to us, one person cannot speak *rationally* to another except through the possession of them.

Thus it is found, that as the knowledge of the existence of things and events in nature, is through a perception which reassembles and combines the sensuous impressions from things; as the existence of "laws of nature," and of qualities of beauty and grace, comes through understanding and imagination, forming abstractions, which are the counterparts of certain otherwise unknown realities in nature; so the Reason, assembling together, the images and abstractions given to it by those powers

of Intellect, forms true ideals of human beings, or of *persons* really existing. And it follows, that the proofs for the existence of human souls, and human persons, are of precisely the same character and validity with those for the existence of wood, stone or metal, or of any object or motion in nature.

It is truly astonishing, that the philosopher who discovered this method of proving the existence of *things*, (the only one of the least value,) and who applied it to idea of material objects and events, should never have pushed its application to that of rational beings.

One of the most satisfactory results of this method of reasoning, is that it precludes all discussion concerning the existence of things. Things do exist, most indubitably, in the mind; so do laws of nature, and ideas of souls, and all as beings of the mind merely; but when it is perceived that they have a practical efficacy, when it is seen that by Reason we converse, and receive answers through our senses, corresponding with the ideas to which we gave utterance, a necessity forces us to believe in the existence of other beings like ourselves. And when, carrying out certain cogitated laws, we cause the powers of nature to serve us *by* those laws, a necessity arises for believing that these "laws of nature" in the mind, stand for laws of *real* nature without. And when, perceiving the color of an object, we put forth the finger and feel its hardness, we conclude with certainty, that the image in the perception, of a thing possessing hardness, is the proof of the presence of a *something* in nature. The mind, of course, in these natural operations, must be sound and healthy, and not metaphysically or otherwise disjointed.

The expression used by Kant, that we know nothing of the nature of "things in themselves," is meant only to convey the fact that all our knowledge is of a secondary character, and not, as Divinity may be supposed to know itself, by being the same with itself. The image in the mind is not the real thing out of the mind.

How the mind is able to form this idea of things and events as they are in, and the same as they are out of the mind, is perhaps the most curious and instructive part of the speculation. For, we have

first to know, that the imperial lord and sovereign ruler of our faculties, the Reason ; the same which, when employed about the affairs of life, leads to prudential and economical results, and employed in affairs of courage and the heart, to the conclusions and practice of honor and courtesy ; this same faculty, employed on the experience offered it by imagination and understanding, produces from them philosophic or universal ideas—as of a soul, a first cause, &c., &c.

In this process the Reason first considers things as they move and live, and are freely actuated and appear, as the Imagination takes them from nature. It then considers their abstract relations in the Understanding. That is, by negatives, lines, limits, necessities, measures, divisions, contrasts, concurrences, causes, and all the unities and diversities. Out of these two, the scientific and the imaginative, Reason constructs its philosophy, or idea of the universe.

And now says Reason to itself, I know, that as in my inferior kingdom of intelligence, whenever there are two faculties, there is a third superior one, which unites and forces them to harmonize, in short as I myself am able to harmonize science and imagination, and passion, and prudence, and affection, and make out of them all a harmonious and rational world, there must be behind all the phenomena, and laws, and necessities, and forces, of nature, animate and inanimate, a harmonizing and perfectly universal power, standing in such relation to the universe, as I stand in my little kingdom of mind. And as I judged that things intrinsic—things in nature, must be judged by the images of these, which I see in my perception and intelligence,—so must this universal, harmonizing, ruling, and creating power—this Infinite, this Omnipotent “Deity,” (for that is the name I give it,) be imaged as resembling myself—I have no other means of imaging it, and I am as well justified in thinking it a Personality, a Personal God, as in thinking that things and events in nature resemble the images in my perception, by which I know them ; or their laws, the laws in my intellect by which I judge them ; or their beauty, the beauty in my imagination by which I attribute beauty to them.” So doth Reason meditate on the world, and so

doth she establish her Faith in a Personality as the author of it, and her reasonings are based on the same certainty which enables the left foot to follow the right, *to wit*, the certainty that the mind is in harmony with the universe, and can form within itself a true representation of the Unseen.

Yet it is perhaps necessary in this connection to pay respect to logic in its narrowest sense, so far as to make a brief defence of the method of the argument—a method peculiar to philosophy, and by which modern science has made all its discoveries—we mean the method of analogy.

The judgment operates by three distinct modes or faculties—as first, by syllogism ; of which the principle is the determination of a species under its genus, &c. : second, by arguing from cause-and-effect—as that the same cause shall always produce the same effect ; and lastly by *analogies*—as when we say, that the same order or system of things, discovers the same principle controlling them—a species of reasoning which has a double certainty and value, from its embracing the principle both of the syllogism and that of cause. Yet the miserable logic of the last century, warns us in a very affectedly wise style against the danger of too free a use of the argument of analogy. When one sees the greatest absurdities stilted along upon syllogistic and cause-and-effect argument—one’s fear of too free use of analogy is very much abated. Not staying here to develop the entire system of the logic of analogy, we need only advert to the fact that every successful scientific or psychological speculation will be found to rest upon it, and if any peculiarity of method can be attributed to modern logic, as distinguished from the syllogistic of the scholastics, and the cause-and-effect of the mechanical deists, it is the analogic of the moderns, preëminent, as including and subordinating the others. Of this method and its abuses, we may take another opportunity to treat at large.

The conclusions of all analogical philosophy may be summed up in a paragraph, that spirit is before matter in the order of being ; that phenomena in perception, and laws and principles in intellect are true analogues of certain realities in universal nature ; that as there is a particular life of

the individual, this is only a spark from the universal life of the world; and as there is a rational soul of the individual, this is only a spark from the Universal Person, the I AM: that the world is both appearance and substance, but that substance can be perceived only *by* appearance, and known only *through* intellect.\*

We need not *name* these universal species, lives, laws, and powers in nature, of which the ideas in our Reason are the true images or representatives—we need not name them angels, devils, good spirits, bad spirits, &c., as Swedenborg has done, unless it suits our style or our fancy to do this. By individualizing them, we impair our ideas of them; and then begins something very like polytheism.

The philosophical works of Coleridge may be considered, together, as a series of treatises, sentences, aphorisms, and arguments, arranged with very little order, looking to the development of the philosophical idea of reason, by profound analogies.

The German mind, above all others, discovers an aptitude for analogical reasonings, as is proved by the general character of their science, and the so called symbolical character of their fiction; and Coleridge has been called a German from the same peculiarity; but before pronouncing Coleridge a German, we must prove him infected with the faults, as well as the excellencies, of the German mind. We must show him pantheistic, and devoid of the idea of a Personal Deity and a divinely constituted state, which we believe is quite impossible. On the contrary, his works overflow with the consciousness of these, and the endeavor to awaken his countrymen to a realizing of their meaning seems to have been the sole aim, if it had an aim, of his life.

Philosophy has always shown two different tendencies, according as the analytic or the imaginative minds of the age have shaped it. The analytic bias may be traced to a predominance of the understanding, or faculty of limits, conditions, negations, and necessities, appearing in such writers

as Paley, Hume, and D'Alembert. The imaginative bias, on the contrary, may be best seen in Cudworth, Taylor the Platonist, and poetico-philosophic minds generally. This latter order give an undue predominance to the imaginative, and neglect the verification and correction of their theories by an application to facts.

With the few minds who have shown an equal mastery of the powers, both of analysis and of imagination, it is necessary to rank Coleridge among the English, and Kant among the Germans. These minds, modelled by nature to a comprehensive and universal shape, easily understood the writings of Plato and Bacon, in whom this double character is most remarkable, and, either by freely receiving the ideas of those writers, and of others still more venerable, or by originating the same in themselves, they have re-created philosophy for the moderns.

Yet it will be impossible for us to understand these men, or their philosophy, until we in some measure understand the aims which actuated them. They regarded knowledge as, in its highest sense, identical with power. The knowledge of a nation they believed to be the fountain of its greatness, always remembering that the word "knowledge," thus used, has a moral significance. The knowledge which they regarded, was the knowledge of knowledges, that kind which is universal and productive of new inventions and useful projects. A knowledge which is able, upon occasion, to found the constitution of a new State or to reform that of an old one; to revive the ancient purity of religion by a return to its first principles; to exalt and harmonize the manners, and render society more humane and considerate. This was the superior kind of *knowledge*, the true Science of humanity, of which they endeavored to express the Ideas. By, and through these Ideas, they communicated the seeds of the same to other minds. All language was considered by them as the vehicle of this kind of knowledge, and to the Faculties which gather it up in experience and give it utterance in acts and words, they gave the name of Reason, or the PERSON,—or the Image of the Person of God.

\* i. e. understanding, imagination, affection, &c.

## SHORT CHAPTERS ON PUBLIC ECONOMY.

## IX.

## LARGE CAPITAL AND SMALL CAPITAL.

NOTHING can be more absurd or more contrary to the facts than the proposition put forth by certain would-be statisticians, that low prices with large production is a state of things favorable to the operative or manual laborer.

The smaller the capital the larger must be the return from its investment. If I have only a thousand dollars, but can make it bring me five hundred every year, I am as well off, nay, in a better condition, than if I had two thousand yielding the same sum. One thousand is easier to manage, and less liable to loss than two thousand. A farm of 100 acres, yielding \$500 worth of produce per annum, is a better property than one of 200, yielding the same per annum. There is less ground to be gone over, and in every respect less care to be taken on the smaller, than the larger domain.

It is extremely difficult to find an investment of capital which will yield the owner more than 10 per cent. interest, with no trouble or risk to himself. So rare indeed is the opportunity for a safe and profitable investment without risk or labor, that large capitalists are well contented with 7, and even with 4 per cent. and in England with 3 and 2 1-2 per cent. interest, when the capital is absolutely secured against loss, and gives its owner no trouble in employing it.

A thrifty industrious mechanic, working at good wages, say at \$1,50 a day, can support himself and a small family, and have something laid up in a Saving's Bank at the end of the year. After a few years of labor, economy and accumulation, he will find himself master of a small capital, say of \$500. Let us suppose that the business at which he works is one which has not as yet attracted the attention of

capitalists, either as importers or manufacturers. The demand is moderate but steady and the prices good. Under these circumstances, our frugal artizan will be able to establish a small factory of his own, with his capital of \$500, and can engage another man to work with him as a journeyman receiving wages. With moderate success, he will make his five hundred yield five or six hundred, aided by his own labor, besides enough to pay his journeyman. The next year he will have gained a credit, and can borrow 500 more, at 7 per cent. and with these two capitals he will employ two journeymen, pay the interest, support his family and lay up money.

The success of such a management depends in the first place upon the existence of a good demand with good prices, and in the second upon the thrift and good management of the small capitalist. Let us suppose that he and his journeyman with the families of both, require altogether \$1000 for their support, and that the sale of what he manufactures produces that sum, and enough more to pay the interest on the capital borrowed. Our artizan will now subsist but he will make no money—he will have no surplus, or profit, at the end of the year.

Let us now suppose that a number of other artizans, observing the success of this one, combine their labor and capital and engage in the same business, one of them having credit enough somewhere, to borrow a considerable sum to be laid out in machinery. Or, let us imagine, what is quite as likely to happen, that an opulent importer has got wind of the matter; and that now, through a larger quantity being offered for sale, the price of our artizan's product suffers a depression. He will find that to make the same profit

the individual, this is only a spark from the universal life of the world; and as there is a rational soul of the individual, this is only a spark from the Universal Person, the I AM: that the world is both appearance and substance, but that substance can be perceived only *by* appearance, and known only *through* intellect.\*

We need not *name* these universal species, lives, laws, and powers in nature, of which the ideas in our Reason are the true images or representatives—we need not name them angels, devils, good spirits, bad spirits, &c., as Swedenborg has done, unless it suits our style or our fancy to do this. By individualizing them, we impair our ideas of them; and then begins something very like polytheism.

The philosophical works of Coleridge may be considered, together, as a series of treatises, sentences, aphorisms, and arguments, arranged with very little order, looking to the development of the philosophical idea of reason, by profound analogies.

The German mind, above all others, discovers an aptitude for analogical reasonings, as is proved by the general character of their science, and the so called symbolical character of their fiction; and Coleridge has been called a German from the same peculiarity; but before pronouncing Coleridge a German, we must prove him infected with the faults, as well as the excellencies, of the German mind. We must show him pantheistic, and devoid of the idea of a Personal Deity and a divinely constituted state, which we believe is quite impossible. On the contrary, his works overflow with the consciousness of these, and the endeavor to awaken his countrymen to a realizing of their meaning seems to have been the sole aim, if it had an aim, of his life.

Philosophy has always shown two different tendencies, according as the analytic or the imaginative minds of the age have shaped it. The analytic bias may be traced to a predominance of the understanding, or faculty of limits, conditions, negations, and necessities, appearing in such writers

as Paley, Hume, and D'Alembert. The imaginative bias, on the contrary, may be best seen in Cudworth, Taylor the Platonist, and poetico-philosophic minds generally. This latter order give an undue predominance to the imaginative, and neglect the verification and correction of their theories by an application to facts.

With the few minds who have shown an equal mastery of the powers, both of analysis and of imagination, it is necessary to rank Coleridge among the English, and Kant among the Germans. These minds, modelled by nature to a comprehensive and universal shape, easily understood the writings of Plato and Bacon, in whom this double character is most remarkable, and, either by freely receiving the ideas of those writers, and of others still more venerable, or by originating the same in themselves, they have re-created philosophy for the moderns.

Yet it will be impossible for us to understand these men, or their philosophy, until we in some measure understand the aims which actuated them. They regarded knowledge as, in its highest sense, identical with power. The knowledge of a nation they believed to be the fountain of its greatness, always remembering that the word "knowledge," thus used, has a moral significance. The knowledge which they regarded, was the knowledge of knowledges, that kind which is universal and productive of new inventions and useful projects. A knowledge which is able, upon occasion, to found the constitution of a new State or to reform that of an old one; to revive the ancient purity of religion by a return to its first principles; to exalt and harmonize the manners, and render society more humane and considerate. This was the superior kind of *knowledge*, the true Science of humanity, of which they endeavored to express the Ideas. By, and through these Ideas, they communicated the seeds of the same to other minds. All language was considered by them as the vehicle of this kind of knowledge, and to the Faculties which gather it up in experience and give it utterance in acts and words, they gave the name of Reason, or the PERSON,—or the Image of the Person of God.

\* i. e. understanding, imagination, affection, &c.

## SHORT CHAPTERS ON PUBLIC ECONOMY.

## IX.

## LARGE CAPITAL AND SMALL CAPITAL.

Nothing can be more absurd or more contrary to the facts than the proposition put forth by certain would-be statisticians, that low prices with large production is a state of things favorable to the operative or manual laborer.

The smaller the capital the larger must be the return from its investment. If I have only a thousand dollars, but can make it bring me five hundred every year, I am as well off, nay, in a better condition, than if I had two thousand yielding the same sum. One thousand is easier to manage, and less liable to loss than two thousand. A farm of 100 acres, yielding \$500 worth of produce per annum, is a better property than one of 200, yielding the same per annum. There is less ground to be gone over, and in every respect less care to be taken on the smaller, than the larger domain.

It is extremely difficult to find an investment of capital which will yield the owner more than 10 per cent. interest, with no trouble or risk to himself. So rare indeed is the opportunity for a safe and profitable investment without risk or labor, that large capitalists are well contented with 7, and even with 4 per cent. and in England with 3 and 2 1-2 per cent. interest, when the capital is absolutely secured against loss, and gives its owner no trouble in employing it.

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Let us now suppose that a number of other artizans, observing the success of this one, combine their labor and capital and engage in the same business, one of them having credit enough somewhere, to borrow a considerable sum to be laid out in machinery. Or, let us imagine, what is quite as likely to happen, that an opulent importer has got wind of the matter; and that now, through a larger quantity being offered for sale, the price of our artizan's product suffers a depression. He will now find that to make the same profit he must

sell more of his manufactures, and to do this he must employ more journeymen and borrow, or unite with a larger capital, and put his wares for sale at a lower price, besides engaging in a system of correspondence and advertisement. If he has not the ability to launch out on such a tide, he must dismiss his journeymen, sell his machinery and again live as before, by his daily wages paid him by some more able or fortunate person than himself.

He takes the former course. He is bold, skillful and thrifty. He becomes a large manufacturer. By competition prices have fallen to such a pitch he must now sell ten or an hundred times as much as formerly to make the same profit. A great number of journeymen have learned the business; it has become common and its wages are less. They have fallen from \$1,50 to \$1 a day. But the profits of the master workman have fallen in a much larger ratio, and for that which used to bring him *two* dollars, he now gets perhaps only *one*, and of that one he has but a small share himself—the profits of his manufactures not much exceeding the interest of the capital borrowed for their production. When our artizan began life he could make his borrowed capital double itself in two years. He now barely pays the interest and supports his family, and is involved in the care and responsibility of managing a large amount of other people's money.

The whole attention of our adventurous manufacturer is now directed upon two objects: first to extend the sale of his wares to the utmost, by forcing them into every market and at every sacrifice, short of ruin; and second, to make them at the least wages and with the cheapest and most rapid machinery. The likelihood is, that by this time he has connected himself in partnership with some large capitalist, who has money to employ, and who now becomes the real owner of the establishment. To this person the financial department is made over. It is he who stimulates production, who reduces wages, who multiplies operatives, and extends the business by his agents into every region of the earth.

Other capitalists have meanwhile become employed in the same kind of manufacture, and by competition prices and consequently wages, are driven down to the lowest point.

As long as other fields of industry continue open, the production of any particular manufacture will not, in the natural course of things, exceed the limit of a reasonable profit. Workmen's wages will never be ruinously low, and the prices of manufactured articles will at the same time fall to the limit of the least possible profit to the capitalists who produce them.

We have now to consider the effect of the introduction of several disturbing causes into the above described natural order of events. Let us suppose that in the country where these manufactures have grown up, it was thought necessary that the revenues of the state should be collected by a duty upon imports. This duty was laid as a most convenient method of collecting the revenues of government; a method by which to avoid, in the most effectual manner, the expense, the trouble, the danger, and the odium of a direct taxation of personal and real property in the country. This method of collecting revenue was esteemed to be an equitable and a just method, and one which, more than any other, would compel the wealthier part of the people to bear their full share of the expenses of government; for as the greater part of the imports of every country have the character of luxuries, which can be dispensed with by the poor, a revenue collected chiefly upon imports would be very effectually a tax upon the rich, but which avoids entirely the odium of an excise or of a graduated tax.

While there was a manufacture of these imported articles in the country which received them, the duty advanced their price much more than it checked their consumption, so that the importers had to pay but a small proportion of the duty—they sold off their goods somewhat less, or at slightly reduced prices, throwing the payment of the duty back upon the foreign producer. As soon, however, as manufactures of the same articles and at the same prices began to spring up in the country, it was found necessary by the importers either to withdraw from the trade or to sell at reduced prices; this went on until the profits of importation began to be less than the profits of manufacture, which had the effect to divert capital in New England from commerce to manufactures.

The very large and powerful importing

interests of England and America very soon discovered that if things went on at the rate they were going, the people of America would soon be independent of them, and they applied, in consequence, for a reduction of the tariff. It was supposed also that the effect of a high tariff on foreign manufactures, amounting, by and by, to a prohibition of them, would seriously affect the revenue; and force upon the people a new system of taxation in the shape of land taxes, excise, and duties upon agricultural and manufacturing industry at home. It was resolved to fix the tariff upon imports at that point which would produce the greatest revenue; a point which indeed extended a certain amount of protection to the home manufacturer, but which, at the

same time, placed him in trying competition with the foreigner. The latest modification of this tariff, was its adjustment *ad valorem*, or, to the value, so that the lower the price the lower should be the duty; that is to say, the lower the price fixed by the foreigner upon his goods, the less should he lose by the tariff; or in case the consumer is supposed to pay the duty, the cheaper the foreign commodity, that is to say, the nearer it approached to the character of a necessary of life, the less he should have to pay to government for the use of it. By this *ad valorem* system the foreigner is stimulated in the highest degree and the home manufacturer proportionally discouraged.

## X.

## ENCOURAGEMENT OF MANUFACTURES THE SAME WITH THE ENCOURAGEMENT OF TRADE.

It is a very general opinion entertained by both parties, that trade and commerce with foreign nations will be diminished by the increase of manufactures in the country; a greater error could scarcely enter into the mind of the economist than this. Exportation is proportioned to the ability and wealth of a country. A country can export, in the regular course of trade, only the surplus of its produce, either in the shape of coin or of commodities. This coin and these commodities are exchanged in foreign markets for other coin and commodities; the breadstuffs of New York are sold perhaps for coin in Liverpool; the same coin, converted into silver dollars, is taken to China for the purchase of teas, opium, &c. In our dealings with China it would appear as though the balance of trade was against us; because money is taken out, and merchandise is brought home; but the money which we pay in China we have received in England, and thus the balance is made even. We very often hear it stated with a fear of alarm, that the balance of trade is against us with England, when, if all countries be taken into the account, it may possibly be found that the balance of trade is, on the whole, in our favor.

Whether it be so or not with any parti-

cular country, is however a matter of much less importance than is frequently imagined. All that is necessary to be known to judge of our real prosperity, is *whether the industry of the country is so well employed, and in such a variety of profitable ways, as to yield a fair surplus of profit for a commerce with foreign nations.* Whether the industry of every man is sufficient to enable him to purchase such foreign comforts and luxuries as he may think necessary to his happiness. If a manufactory of cheap cloth in Massachusetts, can produce a surplus to sell in India or China, and the money paid therefore can be used in France for the purchase of French luxuries, silks, wines, and the like, the balance of trade is not then against us with France, nor with the world generally; we have spent our surplus for luxuries, and that is all; we are not dependent upon France for the necessaries of life; we can do without silks and wines, if need be.

The commercial power of a country depends upon two circumstances, its ability to produce, and its power of commanding the market; the first is given by the industry and economy of its people; which, however, cannot come into activity, hardly into existence, until they are freed from the oppression and the competition of foreigners.

Unless the capitalist is protected against the foreigner, he will not lay out his wealth to the advantage of the country in which he is ; he will spend his surplus in the purchase of foreign luxuries and conveniences, which the poor man, having no employment to which he can turn his hand, that will yield him any profit, contents himself with cultivating a small farm, just sufficient for his own maintenance and that of his family. As soon, however, as the capital of the wealthy is forced to remain at home, and employ itself for the benefit of home industry, a positive increase begins to be perceived in the productive power of the country ; population increases with greater rapidity ; a distribution of employment ensues ; numbers engaged in agriculture, quit that employment for manufacture ; the consequence being that those who remain upon their farms find themselves able to produce more, and at better prices. The distribution of employment tends invariably to the increase of productive power and of production. Every new mode of industry, which makes the proportion of agriculturists or food producers smaller in proportion to the whole, augments their profits, and gives them opportunities of disposing of a larger surplus. Let us imagine a community composed of one thousand men, with their families, employed in agriculture. They produce enough for themselves and their families, and, having no market, their wealth does not increase ; add to that community a thousand more, with their families, employed as artisans, in various trades, that community will shortly become rich. The agricultural part of them have found a market for their surplus, and the artisans at the same time, have found a market for their wares. A healthy man is always able to produce more than is enough for his own immediate necessities, in any occupation ; and therefore it is that free and orderly communities become wealthy when a market is opened to them for a sale for the products of their industry.

We have said that the commercial power of a country depends upon two circumstances ; that the first of these is its ability to produce, and the second its ability to command a market ; for the first is needed an industrious and frugal population ; for the second, a naval armament ; but it is the first necessity that we are at present

considering ; that a country shall produce more than is necessary for its own consumption ere it can become rich by a commerce with foreign nations, and that the greater its home production, the more certain, and extended, and profitable will be its foreign commerce. The prohibition, by tariff, of a foreign manufacture, in such a country as ours, creates a home manufacture of the same. By the introduction of this new species of industry, either a new population is introduced from abroad, increasing the market of the agriculturalist, or the same number of persons is withdrawn from agricultural and other occupations, leaving of course a smaller number engaged in these, and consequently securing to them not only a larger market, but a larger profit in that market. If one man supplies an entire village with food produced upon his own land, he will become the most important man in it, and other things being equal, the wealthiest. The smaller the proportion of population engaged in agriculture, other things being equal, the larger the profits of the agriculturalist ; indeed, nothing could be a greater proof of the stupidity and dullness of the agricultural population generally, than their opposition to the introduction of manufactures. By the most stupid jealousy they mar their own fortunes.

The ability to export will be measured by the ability to produce ;\* the ability to produce will depend upon the variety of occupation assisted by the economy and industry of the population. An economical and industrious population, working at a variety of employments, will produce everything out of the earth, in such a country as ours, (that is to say, if they are well protected,) everything that is necessary for sustenance, clothing, and habitation. For these purposes they will require no foreign assistance. The raw material of iron and steel, of copper, zinc, tin, and lead, and other valuable metals used in the arts ; every species of timber ; every material used for the manufacture of clothing, rough cloth, cordage, and felts ; every kind of grain and serviceable fruit, all kinds of animals employed in the economy of the farm,—there is, in short, nothing that can be esteemed absolutely necessary

\* First shown by H. C. Carey.

to a civilized existence, which is not easily and abundantly procured in the temperate climate of the North American Continent. *If every want of the people, nay every comfort, is not fully and effectually provided for, it is because of some serious error, or some wilful perversion in the mind of the governing power; that is to say, of that portion of the people who make government and its offices their peculiar care; to which may be added, those whose fortune or whose ability gives them power over the prejudices of that nameless multitude whose opinions are all prejudice.*

When every thing has been produced and wrought up—when the last degree of value has been communicated by agriculture and manufacture to the material which the earth offers to the industry of man—when the iron has been wrought into steel, and the steel into implements—when the wool, the flax and the cotton have been made into cloth, and the hemp into cordage—when the copper and its kindred metals have been wrought up into utensils and ornaments; in short, when every possible value has been communicated to the raw material—when the home market is supplied with these, it then becomes advantageous to a country to export its surplus to foreign countries, and not before. During the famine in Ireland, two years ago, grain was exported from Cork and from Dublin; that exportation, although profitable to the merchants who engaged in it, was injurious to Ireland. The exportation of food from England at the present time, to a country where food happened to be dearer than in England, might indeed bring fortunes to a few grain producers and exporters, but it would be highly injurious to the English artizan who starves when grain rises beyond a certain price. Political economy, after the school of Malthus and Ricardo, regards all laws against exportation as a mere absurdity—as contrary to the laws of trade—as an interference with the natural and indefeasible right of free trade. Humanity and common sense may sometimes, it seems, array themselves against our political economists; a prohibition of exportation may sometimes be absolutely necessary to the safety of a people, and so may a prohibition of importation. The rule of common sense and of true statesmanship is to legislate, not from a theory, either of free trade or of protec-

tion, but to legislate for the good of the people—for the good of the greatest number.

The ability to export is measured by the ability to produce a surplus for exportation; it is also measured by the value of that surplus. If it is the raw material, the ores of metals, the first substance of cloth, or the like, it is not, and it never will be a profitable exportation: the risk and the expense of its conveyance will fall upon the producer; that this is the fact may be easily shown from the history of the cotton trade. It has been demonstrated, in the previous number of this journal, that the expense of exporting the raw material of manufacture is far greater, in proportion to its value, than the expense of exporting the manufactured article. The expense of transporting a rod of iron worth only one dollar is greater than the expense of transporting a case of surgical instruments worth one hundred dollars, and so of other articles; the higher the value communicated to them by the industry of artizans, the less the expense to the producer and manufacturer of bringing them to market.

Because the supply in general exceeds the demand, or very nearly equals it in most branches of trade, the producer is continually seeking a market; that is to say, the commerce of the country is eagerly and assiduously extending itself, seeking new customers in every quarter of the globe, and sending out ships of war to establish its markets in foreign ports, to open new channels of commerce with barbarous nations—to negotiate treaties for the advantage of home industry, and sometimes to make conquests for the establishment of mercantile colonies.

It is thus absolutely shown by the conduct of all trading nations, from the earliest periods of time, that it is, in general, the producer and the manufacturer who bear the cost of transportation, who send out their products in their own ships, and defend their commerce by expensive naval armaments. That it is on the producer that all risks fall, or if not all, the greater part of risks, may be seen in the trade between any manufacturing town and its neighboring great city, to which it sends its merchandize. It is chiefly the manufacturer who loses, and not the commission merchant, by fluctuations of the market. It

is the miller who loses by a fall in the price of flour, and behind him the farmer in whose hands the miller's notes are protested.

The commerce of a country depending on its ability to produce and its ability to command a market, successful and profitable commerce will be that which commands the widest and the most universal market; that can send the same cargo to many different ports; that has its choice of markets, and is not shut up to one or two; it is therefore absolutely certain that an exportation of grain or of any species of raw material or first product of the earth, can never be as sure or as safe, or as continuous and steady, as an exportation of manufactured articles. When the European markets are shut, there is no corn trade; but the same corn that would have been exported to England, being used for the food of artisans at home, may be exported in the shape of cloth or cutlery, to almost any part of the world:\* if one market is closed, another is opened; if England will not receive our cloths, France, or Germany, or Holland, will perhaps receive them; or they can be sent into the Mediterranean, or to the South Sea Islands, or to South America, or to many other places; or, if there is no foreign market, they can be laid up at home and bide their time. The expense of their transportation is comparatively small; their durability under all climates makes them always insurable; the profits on their sale are the profits of agriculture on the food which feed the workmen who were employed in making them, and those upon the ores and other raw material, used for the machinery and fabric—all these profits being concentrated in the manufactured article; a consideration which ought to show the agriculturalist that it is rather a commerce in manufactured articles which he should support by his vote and his influence, than a commerce in grain.

Very slight circumstances occasion an over production of grain or of raw material of any kind, and for the time, render it profitless. The closing of the European markets against American bread-stuffs will throw an indisposable surplus upon the hands of the farmer; a vote of parliament will ruin the hopes of tens of thousands in

America, who have engaged in the production of grain for the European markets. An unusually fine harvest in France and in England will have the same result. Fifty millions of English capital turned into the improvement of agriculture in that country and in Ireland, as two years ago it was turned into rail-roads, and before that into cotton mills, would have the same result. It is clear that this trade in bread-stuffs is subject to the most alarming contingencies; and it is well known to be the most speculative and irregular department of commerce.

The reason of this latter peculiarity is not to be sought only in the fluctuations of a foreign market; we may find it as well in the destructibility of the material. A cargo of flour cannot be carried across the Equator with safety; a cargo of meal is very apt to turn sour before it reaches Liverpool. Another reason is, that the natural profit on raw material is necessarily small, and that, under ordinary circumstances, the food of life cannot be made an article of commerce between distant nations. It is a dreadful necessity which compels one great nation to purchase food of another, and is always a token of destitution and suffering in the country which receives it.

The commerce of a country is sustained by its productive energy. Not by the richness of its soil, but by the productive energy, directed by ingenuity and ability, of its inhabitants. Its productiveness is measured not by the quantity of fruits, grain, ores, or other raw material which it produces, but by the value which it has communicated to these raw products previous to their exportation. The steel instrument, worth one dollar and weighing a few ounces, has concentrated in it the value of a bushel of corn worth one dollar and weighing many pounds. The one almost imperishable; saleable in all markets, easily transported at a very trifling cost, through all climates, over all seas—the other, occupying a large space, difficult of transportation, destroyed by a very moderate rise of temperature, or by the slightest dampness, saleable only in countries where the poorer class are perishing of hunger. The one, intrinsically worth nothing, and having all its value imparted to it by the ingenuity of artisans, a thing created out of dirt, and stones, and rubbish—the rubbish of the ground; the

\* H. C. Carey.

other an almost spontaneous product of the earth, requiring but one species of labor for its production with but moderate ability, and therefore yielding but little profit to him who produces it, and still less to him who sells it. These are the instances which we must look at, and carefully consider, before we begin to turn the forces of government to the extension of our commerce. We must know, before we move in such a matter, upon what ground we move, and never suffer our senses to be deceived by the lying arithmetic of statisticians.

When our own wants are supplied, the surplus of our industry is the material of a profitable commerce; but who would send seed corn to mill?

The seed corn which we foolishly send to mill, is the raw material of our industry, and the mill is in England. We legislate away our seed corn—we write, speak, and vote it away—we deprive ourselves of every opportunity of wealth, of that valuable material of commerce, that product of the most refined and concentrated industry; concentrating all that the farmer and the artisan can do—we deprive ourselves of this by legislation—by a farrago of closet theory supported by a lying statistic, and the prejudices of the ignorant served up with senatorial sophisms.

The commerce of such a country as ours must be a commerce for luxuries, and not

for the necessities of life. It is we who must supply nations inferior to ourselves in fortune and ability, with what they *need*, and they must give us in exchange the luxuries which we do not need but only desire, and which our superior industry and ability have given us a right to use and to enjoy.

We do not mean to say that commerce must be exclusively for luxuries; the products of other climates: drugs, medicines, dye-stuffs, peculiar kinds of food which grow only in the tropics, certain valuable metals, and some manufactures, of an undesirable character to be produced at home; in short, a vast variety of articles, not properly luxuries, will always furnish out a vast commerce, and open a market for the products of our own industry.

It appears from all that has been presented to our view in the course of this argument, that the legislation of a country like ours should be directed not to the production of an unprofitable surplus of raw material, liable at any moment to be thrown back upon its producers, but to the introduction and the building up of as many new species of industry as possible, in order that no one department may be overdone, and that a surplus may be produced that can be made the staples of a truly safe and valuable commerce.

## XI.

### CALIFORNIA.

It is beginning to be predicted by the more observing class of speculators, that a commercial catastrophe awaits those who are building upon expectations raised by the gold of California. We have several times before alluded to the state of things in that country, and have predicted the defeat of all extravagant expectations. The time has not yet come, but it is probably not far distant. The first symptom of its approach which we have to notice, is the fall in the price of provisions, of clothing, and of shipping, in the harbor of California. We learn that the fine ship *Edward Everett*, which sailed from Boston

some six months ago, has been sold at San Francisco for \$15,000. At the so called California prices, the same vessel should have brought \$100,000. One would think that the mere timber would have brought more money than was given for the vessel. Startling as the conclusion may appear, we are compelled to admit that California is not destined to have a commerce. Owners of property in California will not invest money in shipping. That department of commerce which is called shipping interest, may be said in California to have no existence.

The population of California being, as

yet, a small one, not exceeding that of a third rate city, a very moderate coasting trade from South America and the Sandwich Islands, and especially from Oregon, will easily supply it with provisions. A single manufacturing village in New England could furnish it with clothing. The commerce in luxuries will never be large, until its population becomes domestic and thriving. The market is already overstocked with all the necessities, and many of the luxuries, of life. The prices of many of these commodities has already fallen below that which they bear in New York, which, considering the prodigious cheapness of gold, shows an alarming depreciation. When these effects come to be generally felt and known, commerce will gradually withdraw itself from the ports of California, and commodities will have a permanent value, measured by the necessities of the population, the immediate presence of the precious metals, the monopoly of the trade, which must fall into the hands of a few adventurers, and the character of the population which, in all gold countries, will be more or less reckless and unthrifty.

When the more superficial diggings are exhausted, and it becomes necessary for several men to combine for the employment of labor and capital in the opening of deep mines, a result which may be expected in a few years, it will be found that the price of labor, always severe in mining, will bring the profits of such adventurers within very moderate limits. Expensive machinery will have to be constructed and transported across the Isthmus, or carried about Cape Horn; salaried gold hunters, engineers, and miners, will have to be employed at a great expense; constant failures, and a vast waste of labor, will strike away a large proportion of the profits. In time, a share in a gold company in California, will become fancy stock in Wall street.

Long before this time the population, instead of increasing, may be expected to diminish, having first reached its maximum.

Let us suppose that the actual proceeds of the mines in California amount to about \$2,000,000 monthly—\$24,000,000 annually; if the whole sum is expended in procuring food and clothing, it will pay, from year to year, the expenses of a population

of 50,000 persons, living at an expense of something more than \$500 a year. California produces nothing but gold; it must therefore, pay for every thing in gold.\* Gold, being the largest commodity in quantity, is cheapened by its own abundance; and \$500 will be found insufficient for the support of a single adult individual living by provisions and clothes brought to him across the ocean.

It is certain that far more has been taken to California in the shape of clothing, shipping, provisions, luxuries, and money, than has, as yet, been brought out of it in the shape of gold. If a California outfit cost \$500, or thereabouts, one hundred men, going to California, take with them \$50,000; this is \$50,000 and the labor and enterprise of an hundred men taken directly out of the country where they belong and which they enrich, and transported to California. \$50,000, and the labor of an hundred men, skillfully employed in manufactures, or farming, in a civilized community, would double itself in a few years, besides providing subsistence for an hundred families, creating rich farms and a thriving village, and securing to its owners and employers all the moral and physical advantages and comforts of civilization.

Let us see now how this same money and labor are employed in California. There is no combination in California; each man is for himself; combination has been found to be impossible. Two or three may combine together to work at a digging, or to speculate in lands, but there can be no companies, no joint enterprises, for the advantage of a number. Of the hundred men who have taken each a capital of \$500, and of which they have expended \$400 before they arrive in California, and in such a way that it creates nothing, yields nothing for themselves or for their country, but is literally thrown into the sea, a third, perhaps, or more likely a fourth, will find themselves strong enough and possessed of sufficient fortitude to engage in mining—a species of toil which is compared only to stone breaking, well digging, or the laying of heavy walls. Twenty-five of the hundred have engaged in this terrible labor. Of the remaining seventy-

\* What have "balance of trade" theorists to say to that?

five, perhaps one half will assist their more laborious brethren as carriers, tool makers, coiners, house builders, and the like occupations. They must be paid very liberally. They are the friends and the countrymen of the miners, and their labor is worth more than that of foreigners. The twenty-five men who engaged in mining, the thirty or forty who engaged in other labor, and the thirty or forty who wander about after their arrival as marauders, idlers, or beggars, have all to be supported. The gold diggers must support all these. Such is the law of communities. No man would be permitted to starve or go naked in so liberal a country as California, where gold is so abundant. Every man, too, will do something, under the pretext of earning his bread. They will dig a little, work a little, trade a little, just enough to keep body and soul together. They will employ their best abilities in the art of living easy upon the industry of others. The twenty-five gold diggers have to dig gold enough among them, not only for their own support, but, whatever may be their own intentions, for the support of the remaining seventy-five, who are a part of the same community. To get back their first expenses, and that of their comrades, they have to dig, in the course of the year, \$50,000 worth of gold, beside enough to pay their current expenses. But they can work during only one half the year. They have to dig more than \$8,200 the month, for six consecutive months; but as only one half of them will more than support themselves during that time, the remainder (a large proportion) being the lucky ones, these lucky ones must clear \$8,200 the month, over and above their expenses, to pay costs, and replace the capital invested; for it must never be forgotten that California produces nothing but gold. Unless gold is produced, nothing is produced, and the money expended in and upon the country is lost.

In six months twelve men have earned about \$50,000. This money is to be divided between them, but not equally; the least of the lucky ones will have but \$1,000 of this money, and the most lucky will have perhaps \$20,000. During the year expended in the replacement of the original \$50,000, these twelve men will have dug gold enough, beside all this, to support a

community of an hundred adult persons in a civilized state, at the rate of \$500 a year. I have taken small numbers for this ideal estimate, larger numbers would not serve better to show the ratios.

The result of all this is that the production of \$50,000 of clear gain in California, requires the expenditure and sinking of \$100,000; that in this process an available capital of \$50,000, and the labor of an hundred men—civilized and educated men—is withdrawn from the community where they were born, and to which they belong; that a property, at first equally distributed among an hundred persons, *is concentrated in the hands of a few persons*, that the morals and manners of the great majority are impaired, or quite ruined; that many have perished of malaria and hard labor, who would otherwise have lived to a good old age; that some have become gamblers and sots; that many have given up excellent business and good hopes, to engage in an unprofitable and dangerous adventure; and finally, that of those who successfully bring home fortune from beyond the seas, suffering the intoxication of too sudden a success, and by too desperate a means, the greater part will soon lose unluckily at home, what they have luckily got abroad; to say that two out of the original hundred will certainly benefit themselves and others by the adventure, is saying more than is prudent.

Such, when they come to be written, will be found to be the average history of California adventure. It is true, immense fortunes have been made, and a few who went there poor have come back rich, notwithstanding all of which we still aver that such in future will be found to be the history of California adventures.

We have said that California can never have a commerce; it is a gold producing country; it will by and by become, to a certain extent, agricultural, and possibly a few manufactures may be introduced; but, for the first, it cannot enter into competition with Oregon or Chili; nor for the second with the United States and England. There is no reason to believe, that for many ages, California will export manufactures or agricultural products; the population will consequently consist almost exclusively of miners and those who employ them; it will, therefore, be a limited population;

it will not grow beyond the necessity created by the operation of capitalists in its mining regions; its property will be owned chiefly by persons residing in England and in the United States; they will send money and machinery, and receive gold in return. The commerce of Benecia and San Francisco will consequently be extremely limited.

Commerce is centered in a region by its becoming either a mart for the exchange of commodities, like Samarcand or New York; or by its being like Babylon or Boston, a centre for the production of manufactures. The city of Babylon, in which at one period, the trade of the East was concentrated, was, at the epoch of its greatest glory, nothing more than an assemblage of manufacturing villages, surrounded by a range of artificial hills, called walls, to shut out the neighboring barbarians. The city of Boston owes its commercial importance, in great part, to its being the trading centre of manufacturing interests in New England.

It is impossible, in the nature of things, that California should become a trading centre, as it neither produces anything to create a commerce, or to ensure a steady growth of population. For the same reason it can never become a port of deposit or of exchange. The badness of its harbors will alone prevent that result.

Let us now make enquiry of the benefits, real or imagined, which are to be secured to this country by the addition of California. That these benefits are to arise from the addition of a certain amount of gold coin to the circulation of the entire world, no one will perhaps pretend. The value of the precious metals is diminished as their quantity increases; to have that quantity largely increased would be an inconvenience, as it would add nothing to the wealth of the world; nothing to the comforts of life, and would disturb the coinage of governments. The benefit to be derived from the finding of gold consists in the good fortune of those few lucky individuals who make fortunes by the adventure. The capital hitherto invested, and effectually sunk and annihilated, far exceeds the largest anticipated returns. On the whole, regarded as a commercial speculation in which the entire country is interested, California has already cost much

more than it is worth, both in the war that was made for it, and in the money and labor that has been carried into it. As an investment of labor and capital it is already a total failure.

But if California can never become a seat of trade, and is, as a speculation, in itself unprofitable; if its effect is to demoralize the entire community by creating an unnatural thirst for gold, and a love of foreign adventure, if it is to continue to withdraw capital, labor, and talent, the ready capital, the free labor, and the adventurous talent of the hardiest portion of our population from fields where they are most needed, and where their value is alone appreciated, with what favor can the public economist regard this new acquisition of a gold region? The most sanguine calculators have not yet shown that the product of the country in precious metals will sustain its population, or pay the cost of its purchase and colonization.

These then, we conceive, are to be the advantages which are to accrue to us as a nation by the conquest of California, and the discovery of its placers. First, it has directed our attention upon the western borders of our continent; it has already drawn us nearer in thought, to the Asiatic side of the globe; it has opened the way for a commerce with Asia; it has created a necessity for the establishment of a free and rapid communication between the Atlantic and the Pacific; it has brought us nearer, by the space of several centuries, to our ultimate destiny as the civilizers, and perhaps masters of Asia. The existence of the state of California on the shore of the Pacific, has made it necessary for us to establish a communication between the two sides of the continent. When this communication is established, affairs in California will take another turn; a railroad will pass from the Mississippi River perhaps to the Columbia. At Puget Sound, if we prophecy truly, there will be established an entrepot for the commerce between the United States and Asia; the gold of California will pass first into Oregon before it is distributed to the East and West. Or if it is resolved that the great international railroad shall go to California first, still we may predict for it the same consequences, that it will become a route of commercial enterprise between America and

Asia. California will then indeed become a grand commercial centre, but she will continue to be insignificant as a state; and for the reason that she produces nothing, or rather produces nothing but gold, of all products the least valuable, the least profitable, the least beneficial to the world.

Should Oregon, on the other hand, be made the terminus of the new route, there will be added to the United States a country well fitted for every purpose of agriculture and manufacture, of vast extent, free from the remotest danger of invasion, of a temperate climate, and lying convenient to the ocean, towards which already a stream of population is moving, which must soon convert it from a wilderness to a wealthy

and prosperous state, but whose prosperity will be most seriously retarded should the great road be turned away from it, and directed upon the barren mountains and unprofitable plains of California. With such a route as is contemplated, the products of Oregon will within a century far exceed a dozen Californias; nor will those, meanwhile, of California decline in consequence, since nothing is more needed to the prosperity of that state than the immediate neighborhood and intercourse of such a population as that which will be in Oregon. Let not the Californian think me his enemy. The fewer the better in that country *for those who are there*.

J. D. W.

## THE WHIG VICTORY IN NEW YORK.

THE State and City elections of New York on the 6th November, have shown a superiority of strength in the Republican and Conservative party over the united forces of the remains of the old Jackson organization, called Loco Focos, and of the new party, who go by the name of Barn Burners.

The origin of these two factions in the State of New York arose upon a quarrel between the old office holders, who came in under the old Jackson dynasty, and the younger members of the same party, who wished to succeed them in the offices which they had so long held. The two factions organized themselves under the name of Barn Burners and Old Hunkers. (We put these facts on record for the benefit of future historians, as they are likely to be forgotten.) The Old Hunkers were the successors of, or were themselves, the men who went over from the ranks of Federalism to join the no-principle party of General Jackson; they, however, carried their principles with them in their pockets, to be used upon occasion. In order to win over the body of foreign emigration, more especially in the city of New York, they assumed the name of Democrats, synonymous with Jackson men, or friends of the people. Unluckily for themselves, however, as it proved in the sequel, they adopted the new doctrine of rotation in office, and being, of late years, extremely slow and loth in its application to themselves, there sprang up a number of enthusiastic young philosophers, very practical men too, who undertook to see that the doctrine was applied; the consequence was the formation of a new party, who called themselves Barn Burners, because they had undertaken to set fire to the barn in order to drive out the rats.

Under Mr. Polk's Administration the unpopularity of the old office-holding, or old Hunker division of that scion of Federalism which claims the name of Democracy, but which goes commonly by the more appropriate title of Loco Foco, rose

to a great height. A complete rupture took place all over the Union. It was resolved by the Barn Burning faction that Mr. Cass, who headed the Old Hunker division, should be defeated, cost what it might. The body of the party, however, had been so entirely corrupted by the enjoyment of office, and by other causes of political decay incident to the unscrupulous employment of power, that the new division of them found themselves, to their great surprise, without a single principle of organization; in fact, in the race for power they had left their principles behind, and forgotten where they left them. They had nothing positive about them. They were opposed to prohibitory duties and unnecessary tariffs, it is true, but so were the majority of the Whigs. In Kane letters, and other recorded documents, they advocated protection, incidental, certainly, but still protection. They thought it a good thing, so it was not carried too far—and so did the Whigs. They were opposed to the establishment of a National Bank with unlimited powers. They announced, in Presidents' messages, and elsewhere, that they thought a Bank, unless it were properly regulated, and placed under proper restrictions, a dangerous experiment, and so did the Whigs. They professed themselves opposed to an unlimited and extravagant system of improvements. They thought it necessary that the money of the Government should be expended constitutionally, and in cases that were deemed necessary to the national welfare, and so were and did the Whigs. They were opposed to the interference of Congress in the domestic affairs of the Southern States, and so were the Whigs. They thought it necessary to make a peace with Mexico, on terms favorable to the honor of this country—the Whigs indicated with great distinctness that they were of the same opinion. They believed in a certain reasonable rotation of office, and so indeed did the Whigs, as was proved by the election of General Taylor. They thought it

necessary that Representatives should represent their constituents, and that what a man had promised to vote for in Congress he should vote for; in fact, to their amazement, they found that they had not a single principle left them. Old Hunkerism, even, had but one, and that it had inherited from Federalism, the unscrupulous application, namely, of the Presidential veto, and of this they could make no capital, taken by itself. The principle was nothing in itself. To have any basis of organization at all, to have any soul, thought, or speculation, to have any thing efficient or statesmanlike about them, they must find something, they must find some fresh and lively opinion, some new and philosophical sentiment, that should serve as a soul to animate the, as yet, dull and lifeless faction.

By assiduous writing, speaking, and teaching, the Whig party had, after many years of almost hopeless effort, succeeded in creating a powerful opinion against the extension of slavery over new territory. They had succeeded in convincing the South that every additional acre of cotton, cultivated by slave labor, would serve only to lower the price of cotton, and diminish the profits of the older planters. They had succeeded in convincing the South that its true policy was rather to diminish than to increase the number of cotton planters. They had shown them moreover, nay, had convinced them, as they had convinced the entire North, that Congress had full power either to extend or to limit slavery in the territories of the nation. They had also established the doctrine that the sovereignty of a State created upon new territory, was perfect from the instant of its birth, and that new States could not be interfered with to force them either to suppress or to erect among themselves the institution of slavery. It was the original doctrine of the Whigs that new States should legislate for or against slavery on their own responsibility, and with full powers. This doctrine so unluckily appropriated by the Whigs, was of no avail to either section of their adversaries, except under a very bold and dangerous system of lying and misrepresentation, such as is followed by the Union newspaper.

The Old Hunker division, on the other hand, were disposed to hold to the doctrine

that Congress had no right to interfere to prevent the extension of slavery over the national territory. Could the new faction set itself in opposition to this doctrine, there was the hope of something like an organization. They made it a point to say, with the Whigs, that slavery ought not to be extended over the national domain. They endeavored to have a form of law given to this principle; and, under the name of Wilmot Proviso, it came before the country, and was rejected, chiefly because of the untimeliness of its appearance, and the injudicious manner of its introduction, and its insulting and repulsive appearance to the South. The majority of the people were clearly in favor of preventing the extension of slavery over the national domain, but the Wilmot Proviso neither is, nor ever will be, the means of that prevention.

The Abolition third party, which had hitherto distinguished itself by annually putting a certain number of good votes in limbo, witnessing the unfortunate predicament of the young faction, came forward with a very handsome offer to furnish out a new stock of principles, of a very racy and enlivening character, such as would have a good sound, and chime in well with the sentimental passion of the day. Barn Burnerism took the hint, and accepted this very handsome offer in part; it announced itself, on a sudden, as the champion of Free Soil, much to the astonishment of the Whigs, who had hitherto imagined that they alone were the defenders of free institutions in the new territories; that they alone, for reasons both economical and philanthropical, had set themselves against the extension of domestic slavery. The orators of the new faction, overjoyed at the discovery of a principle—a thing unheard of since the election of Gen. Jackson—were at vast pains to impress the minds of the masses with a proper sense of the dignity of their mission. They stepped forward with great self-possession, as the defenders of human rights in general, especially as they appear in the person of the negro; but they were not unconstitutional, oh! no, not they! They were not disposed to meddle with the domestic institutions of the South, oh! no, not they! all that they professed was an intention to prevent the spread of slavery over new territories, and by constitutional means.

For a time the new organization flourished wonderfully. They adopted a leader who was by no means a man of straw, but a powerful and able politician; in fact the original organizer of the party of which they were now the most important faction. Mr. Van Buren led off the new movement very handsomely, pledging himself to do every thing to prevent the extension of slavery, and committing himself to nothing farther. It is said that he allowed himself to be placed in this position in order that he might revenge himself upon the Southern division of the party who had previously defeated his nomination at Baltimore. However this may be, the new faction succeeded in defeating the old one; the Whigs came into power, and Old Hunkerism fell prostrate; deprived of office, and, consequently, as it had nothing else, deprived of organizing power. To be, at once, without office and without a principle, was the condition of Old Hunkerism; it consisted now of a clique of rejected office holders, who could not, for their lives, show any man a reason, or the shadow of a reason, why they should be returned to office—an imbecile and wretched condition.

Finding their case hopeless, and witnessing with a sullen discontent and jealousy the rising power of their new enemies, formerly their brothers, or their sons, they began to make overtures to the new faction. Old Hunker made a very liberal offer to young Barn Burner that they two should clap each a shoulder to the wheel, and having, by the union of numbers, achieved a victory, they should divide the spoil between them. In New York especially, for some months previous to the late election, this union was agitated, and finally agreed upon by most of the leaders. Newspapers on the Old Hunker side addressed hearty and soul-stirring invitations

to their opponents to come over and work together with them to defeat the Whigs. Democrats, cried the liberal Globe newspaper, with the characteristic Old Hunker *bon hommie*, shall we go to work and elect our whole ticket, which will enable us all to partake of the fat things which will fall from the Democratic cornucopia? or shall we remain divided, and be compelled for a number of years to feed on short commons, until we have not strength to withstand an old fashioned North Western—what do you say? The appeal was irresistible; the two factions closed their ranks, and voted together; but, to the amazement of all concerned, they were beaten by a good majority.

That men should make sacrifices in a great cause is necessary to their success; they are called upon, in a good cause, to sacrifice whatever is most dear and precious to them; and when such sacrifices have been made, how great is our sympathy and pity for those to whom they have availed nothing! The Barn Burner faction, stimulated by a patriotism truly elevated, resolved that no sacrifice should be esteemed too great for the advancement of that cause of which it was the sworn advocate; the cause, as it avowed it, of freedom and humanity; no sacrifice seemed too great; it was ready to throw aside that which it held most dear, its own jewel, its sole principle, its very honor. As the principle for which it existed was the thing of all others which it held most dear, that was the thing of all others which it determined to sacrifice.

It did this, and lost the election;—catastrophe truly to be deplored!—melancholy comment upon the vanity of human wishes, and the futility of the best laid schemes! It had laid a wager to swim across the river with a bag of gold, and as a preliminary step, threw away the bag.

J. D. W.

## CANAL POLICY OF NEW YORK.

## ABSTRACT OF THE LETTER OF MR. RUGGLES.

ON the 24th of October, SAMUEL B. RUGGLES, Esq., of this city, addressed to a committee of gentlemen residing in Rochester, an able letter in vindication of the policy that has been pursued in the construction of canals in this state, from the time of Clinton to the present period. Being too long for publication in the *Review*, we shall endeavor to furnish, in a condensed form, all its important facts and conclusions.

The great subject of his letter is introduced by asking three questions: "What is the present state of the Erie Canal enlargement? What has brought it to its present condition? What are its prospects?" The three questions, though distinct, he examines together. He first gives a graphic sketch of the three political parties at present existing in the state. The Whigs, he says, consist mainly of those, and the descendants of those, who supported CLINTON in the great work of the Erie Canal;—they are those who advocate, as part of their creed, improvements of the interior as well as of the sea-board, and who believe that the commerce of rivers, and canals, and lakes, are as important to national interests as that of the ocean.

Opposed to this party is that of those who call themselves Democrats. This last is divided into two sections, one of which is wholly averse to every kind of internal improvements at the expense of the state, and is known by the terrible name of "BARNBURNERS," the most prominent leader of which is Col. SAMUEL YOUNG, aided by Mr. MICHAEL HOFFMAN, and Mr. FLAGG, the late Comptroller.

Midway between this wing of the Democracy and the Whig party, is that portion who enjoy the comfortable title of "OLD HUNKERS;" and it is their creed that public works ought to be "judiciously" prosecuted—provided they themselves can fill the offices of honor or profit connected with the administration. The most eminent leader of this school is Governor MARCY.

The present generation, enjoying as it does the daily benefits of the Erie Canal, can hardly realize the difficulties which its projectors were obliged to encounter. Forty years ago, when the plan was first announced of constructing a canal from the Hudson River to Lake Erie, the idea was treated as purely

chimerical, and this was more especially true in the city of New York, among its merchants and capitalists. After an eight years' struggle, on the 15th of April, 1817, the law authorizing the Canal passed through the Legislature. The whole delegation of the City of New York voted against it.

It was during these contests that the political parties which even now agitate the State, found their origin and early organization. Mr. SILAS WRIGHT, since elected Governor, and Mr. AZARIAH C. FLAGG, the late Comptroller, came into public life about that time, the active opponents of Mr. CLINTON.

In 1823 Mr. CLINTON retired from the office of Governor; from the year 1810, when the first explorations and surveys were made, to the year 1823, he had held the honorary post of Canal Commissioner, without salary or emolument. In 1824, the great work was near its completion. His adversaries, having a majority in both branches of the Legislature, passed a joint resolution, supported by Mr. WRIGHT in the Senate, and Mr. FLAGG in the Assembly, removing him from that post, which he had so long and so ably filled.

The whole community was shocked at this cold-blooded, intentional insult to a great public benefactor. Mr. CLINTON was at once put in nomination for re-election as Governor the approaching autumn, and he swept Colonel YOUNG, the opposing candidate, from the field by an immense majority.

In the large views of Mr. CLINTON, however valuable the Erie Canal might be, as the main commercial artery of the State, it needed the contributions of lateral canals, branching off into the more interior recesses of the country. He, therefore, recommended successive additions to the system, which should connect Lake Ontario and the Black River, the Cayuga and Seneca Lakes, and the fertile regions of the Genesee, the Susquehanna and the Alleghany, with the great trunk traversing the State.

This was the origin of the lateral canals. From the moment of their construction they have been the theme of the most malignant abuse which party could devise. Disregarding their palpable effects in swelling the revenues of the main line and the general commerce of the State, their tolls have always

been studiously kept separate from those of the Erie Canal, and the expense of maintaining them in repair, is paraded by their opponents as a perpetual burthen upon the treasury of the State.

In 1827, Mr. WRIGHT, being still in the State Senate, in an elaborate Financial Report made war upon the whole Canal system, declaring that the actual income of the canals was *highly exaggerated*, and that any appropriations for other works, unless they should be more *profitable than the Erie and Champlain Canals*, "would hasten the period when *direct taxation* must be resorted to." The formula thus furnished by Mr. WRIGHT, has been faithfully repeated by the disciples of his political school ever since. But the fact has not verified the prediction. The Canal paid off its debt nine years after the Report, in July, 1836.

On the death of Mr. CLINTON, in the year 1828, the political power of the State passed, almost without opposition, into the hands of his late opponents, and Mr. WRIGHT became Comptroller, and in due course of time was succeeded by Mr. FLAGG. The manner in which the accounts are kept in the Comptroller's office, makes two distinct Funds,—The *Canal Fund* and the *General Fund*. The Canal Fund may be full to overflowing, but if the General Fund is low, there is a cry of an exhausted Treasury. The State may own the Canals, as it owns any other kind of property; and when the loans are cancelled which had been made to construct them, the liens held by lenders cease, and the revenues of the Canals may be applied to the general purposes of the State. When a tax, therefore, is recommended "to *replenish the General Fund*," it simply means a tax to pay off so much of the Canal debt. During the progress of the Erie Canal and before its revenues had been ascertained, the people paid a tax for its support, but in 1846 it was no longer necessary, and it was discontinued. In pursuance, however, of the policy which dictated his Report of 1827, Mr. WRIGHT, in 1830, as Comptroller, recommended the Legislature to levy once more a direct tax. The proposition was not adopted. It was repeated by him the next year, with the same bad success. In 1834 Mr. FLAGG became Comptroller, and until 1839, continued the system commenced by Mr. WRIGHT of urging the Legislature to impose a tax "to *replenish the General Fund*." In 1836, the revenues having accumulated to an amount sufficient to pay off the whole of the debt of the Erie and Champlain Canal, the Legislature virtually settled the matter by enacting that \$400,000 should annually be taken from the Canal Fund and paid to the General Fund. In addition to this sum, an annual amount of about \$310,000 was also received into the same Fund, from the auction and salt duties.

Nevertheless, on the opening of the Legislative Session of 1838, Mr. FLAGG again renewed his recommendation of a direct tax.

The subject was referred to a Committee of Ways and Means, of which Mr. RUGGLES was Chairman, and they resolved at once, as their predecessors had done for many years, that the tax was neither necessary nor expedient. They, however, instituted an inquiry as to what would be the fiscal effect of proceeding with more expedition in enlarging the Erie Canal; and to solve this, they endeavored to determine what would probably be its future revenues.

In conducting the inquiry, the Committee considered the report made to the Assembly, a few days previously, by Mr. BOUCK and his colleagues, Canal Commissioners, which predicted that in a few years after the completion of the enlargement, the tolls, being at the present rates, would exceed *three millions of dollars* annually. They added that they "believed the public interest would be essentially promoted by as speedy a completion of the enlargement of the Erie Canal as the *facilities for obtaining means, &c.*, will justify." Thirteen years before this period, the Canal Commissioners, among whom were Colonel YOUNG and Mr. BOUCK, declared that their anticipations as to the tolls "had uniformly fallen short of the reality," and they added, that "they had no doubt but the same fate awaited their present calculations." They then proceeded to estimate the prospective increase of tolls for the thirty years then next succeeding. The following is the result:—\$1,000,000 for the year 1836; \$2,000,000 for the year 1846; and \$4,000,000 for the year 1856. The tolls, though materially reduced in rates, amounted, in reality, to \$1,614,342, in 1836, and to \$2,756,106, in 1846. At the same time, the Canal Commissioners predicted that within fifty years, *nine-tenths* of the merchandize transported upon the Canal, will pay toll, if it is chargeable, for the use of the *whole length* of the line. They then estimated the "annual receipt of tolls at nine millions and thirty one thousand and one hundred and seventy-six dollars."

The Report of 1838, was made in all honesty of purpose, and without indulging in any idle dreams of the imagination, but it has been made the standing subject for party ridicule and assault down to the present time.

The estimate of the Report of 1838 was, that if the *Erie Canal should be enlarged*, its tolls would reach the sum of \$3,000,000 at the close of navigation in the year 1849. The Canal has not been enlarged, and its rates of toll have been reduced, and yet the tolls of the year 1848 were \$3,252,212, and of the preceding year, (which was one of unusual activity,) \$3,635,381. If, to the tolls of 1848, be added ten per cent. for reduction in the

rates, (being \$325,221,) it makes a total of \$3,577,433.

In this amount are included the tolls of the lateral canals, the receipts of which, as kept separately, are about equivalent to their cost of maintenance. After making the proper allowance for the actual expense of repairs on the Erie Canal, the net revenue is \$3,000,000 as predicted.

The doctrine that no debt should be incurred by the State for the purpose of constructing public works, is comparatively of recent origin. It was neither the theory nor the practice of this State in 1838. At that time, the main question was, would their revenues pay the interest on a debt?

In the annual message of Governor MARCY, of that year, he expressly recommended to the Legislature the expediency of making more rapid progress in enlarging the Canal than it was possible to do with the surplus tolls alone. Mr. BOVCK and the other Canal Commissioners substantially recommended the same thing. This implied, necessarily, either borrowing money or direct taxation. Even Mr. FLAGG would not have recommended the latter method. The Committee then had only to show that an annual revenue of \$3,000,000 would be sufficient to pay the interest, at five per cent. on a debt of thirty millions, and reimburse the principal in less than twenty years, or on a debt of forty millions and reimburse it in twenty-eight years. The soundness of this portion of the Report was not questioned until two or three years after it was made. The attacks were made upon what were called its "fancies" and "visionary" character. But the fancies have become facts. Is not our debt at this very moment in process of rapid extinction by means of these very revenues? And is not the much lauded financial provision of the Constitution of 1846, founded on the assumption of the adequacy of these revenues?

Two years previous to 1838, the State had passed laws for constructing the Genesee Valley and Black River Canals, at an expense of at least \$5,000,000, and for enlarging the Erie Canal at a cost which Mr. BOVCK and his colleagues had estimated at \$12,416,150, but which, for greater caution, the Committee raised to \$15,000,000. The Canal Engineers had also reported most favorably of the enlargement. The surplus tolls, at that time, amounted to a little less than \$800,000 annually. Should they not increase faster than was then admitted by Mr. FLAGG and others, the time required for the enlargement would not be less than fifteen years, even if its cost should not exceed \$15,000,000. At a cost of \$25,000,000, the work could not be accomplished in less than twenty-five years at least. To save interest, therefore, the Committee recommended a resort to loans. With this sin-

gle exception, the Committee advised no expenditure on any particular work whatever. They stated that if a debt of \$40,000,000 should be incurred for public works, the money might be "safely borrowed, without imposing any burthens upon the people; and that if *the views of the Canal Commissioners, as to the future revenues of the Canals, are correct, the whole amount, within thirty years, may be reimbursed and added to the productive property of the State.*"

In 1838 the Barnburners and Hunkers commanded a large majority in the Senate, but the Report was favorably received by that body. An Assembly bill, authorizing a loan of \$1,000,000 for expediting the enlargement, was actually amended in the Senate to \$4,000,000, and in that shape it became a law. This law seemed to produce universal satisfaction throughout the State. The Canal Commissioners, in consequence of their scanty means, up to that time had been only able to put under contract a few scattered structures; but they were now enabled to operate with much more efficiency. Many aqueducts and locks had become decayed, and the safety of navigation rendered it desirable to rebuild them, and that of enlarged size. The three great aqueducts—two across the Mohawk and one at Rochester—were in a failing condition, and the expense of rebuilding them alone was nearly \$1,000,000. The twenty-nine locks between Albany and Schenectady, when built, had been so clustered together as to cause most injurious delays in navigation; and the scanty supply of water afforded to the canal at Lockport rendering it necessary frequently to take from the manufacturing city of Rochester, the water from the Genesee river which was essential to the industry of its inhabitants, were evils which it was important to remedy with as little delay as possible. The work put under contract in the season of 1838, was directed chiefly to these points and purposes. The great effort was to relieve navigation of its most pressing embarrassments. The total cost of the works thus commenced under the law of 1838, including all that had been previously commenced, did not exceed \$11,000,000.

At the opening of the Session of the Legislature of 1839, the war on the policy of 1838 was fairly commenced. Governor SEWARD, the first Whig successor of DE WITT CLINTON, came into office the firm supporter of that policy, while Mr. FLAGG, in his Annual Report, used his best efforts to show that the calculations of the Committee of Ways and Means of 1838 were conjectural and fallacious,—that the treasury could not safely rely on the rate of progress in the canal tolls which their estimate had assumed. Mr. GULIAN C. VERPLANCK, a gentleman of eminently conservative character, contended that the results predicted would be realized, and would warrant

an expenditure, if necessary, of \$45,000,000, while Mr. ALONZO C. PAIGE, the organ of the opposition, and the confidential friend of the Comptroller, took issue on the accuracy of the estimates. Mr. PAIGE in an elaborate minority Report, stated as the result of his calculations, that the tolls would only increase at the rate of one and two-thirds per cent. annually, until the year 1886, but "to make the allowance more liberal," as he said, "ten per cent. is conceded for every period of six years." He then calculated the tolls at that rate, which gave for 1844, \$1,555,400; for 1850, \$1,710,940, and he proceeded in the same ratio every sixth year, until the year 1886, when he finally brings out the sum of \$3,031,032. He expressed his regret that he was obliged to differ from Mr. VERPLANCK by a *period so wide as forty years!* but challenged the Senate to try his conclusions. The history of the last twelve years has settled the question, for the tolls in 1847 reached the sum of \$3,635,381, passing the disputed point of \$3,000,000, 39 years sooner than Mr. PAIGE had predicted.

But it was reserved for Colonel YOUNG, the great leader of the opposition, to display his party in its strongest colors. In a Report which he made as chairman of the Finance Committee of the Senate, all ages and nations, and conditions of man—Turk and Christian—Jew and Gentile—every field of literature, ancient and modern—scraps of verses, Latin and English—bits of French—the sayings of Zeno-phon and Thucydides,—of Hume and Montesquieu—the highlands of Scotland—the plains of India—the pyramids of Egypt—the vulture of Prometheus, and the awful maledictions of Holy Writ, are summoned to find suitable epithets for the "serpents and generation of vipers" that were seeking to enlarge the Erie canal. In his better days Col. YOUNG had been an advocate of Internal Improvement, especially of the Champlain canal, near which he resided. In 1825, he reported to the Legislature an estimate that in 1856 the canal tolls would amount to \$4,000,000.

From this time forward the Report and its author were made the subjects of every species of party ridicule and obloquy; and, as late as 1844, Mr. JOHN A. DIX, in a public meeting at Albany, with \$2,500,000 of canal revenues then rolling in from the west and staring him full in the face, characterized the Report as a mere "work of the imagination," fit only to be classed with the Arabian Nights' Entertainments!

In the session of 1839, the Canal Commissioners reported that the enlargement would cost \$23,402,800—being \$10,000,000 beyond their former estimate. This state of facts raised a new financial question.

The death of the late General STEPHEN VAN RENNELAER, long the honory and honored head of the Board of Canal Commissioners,

left a vacancy in that body, and Mr. RUGGLES was elected by the Legislature to fill his place. In the year 1839 Mr. BOUCK still adhered firmly to the policy of enlarging the Canal;—he was indeed the projector of it, and in the final discussion in the Canal Board of 1835, which settled its future dimensions, he voted for a depth of 8, and a width of 80 feet. It was, however, decided to have a depth of 7, and a width of 70 feet. On leaving the Board in 1840, he exhorted Mr. RUGGLES to disregard all petty and partizan considerations, and stand faithfully by the great enterprise.

As early as the year 1839, the columns of the leading journals opposed to the Canal policy began to be occupied with a plan to impair the credit of the States, and it was evident that an attempt would be made to create a panic on the subject of the public debt of the State of New York. Feeling the danger that was arising, it became important to confine the efforts of the State, for a time at least, within more narrow limits. It was, therefore, resolved to restrict the work of the enlargement to the locks and aqueducts. It was known that this would secure a considerable portion of the total benefits of the work, by an expenditure of little more than \$12,000,000, and it would serve as a convenient resting point, should this alternative become necessary. The section work, including land damages, was estimated at \$12,000,000; but little of it had been put under contract. In pursuance of this policy, the Whig Canal Commissioners, caused a section to be inserted in the law of April 25th, 1840, enacting that no "new work should be put under contract on the enlargement of the Erie Canal," except a section one mile long, through the city of Rochester, a lock which required rebuilding at Black Rock, and such work as should be necessary to render available the work then in progress. The next year a similar section was inserted at the request of the Canal Commissioners.

The total amount of contracts on the enlargement, made by the Whig Commissioners during the whole time they were in office, does not exceed one million of dollars; while Mr. RUGGLES, on the Genesee Valley Canal alone, by reducing the unnecessary cost of some of its structures, saved upwards of six hundred thousand dollars. So much for the "spend-thrift" policy of Governor SEWARD and his Whig Administration.

In April, 1840, Mr. JOHN C. SPENCER, who was Secretary of State, and a leading member of the Canal Board, formed by uniting in one body the Canal Commissioners and the Canal Fund Commissioners, made a Report to the Assembly on the subject of the Canal policy of the State. The result at which he arrived was, that the increase in tolls, instead of being one and two-thirds per cent. as stated by Mr. PAIGE, would amount to seven per cent. per

annum for every successive period of seven years; or seven and a half per cent. annually for every period of ten years. He estimated the tolls from 1840 to 1846, both inclusive, at \$15,602,745—they actually amounted to \$15,490,076; showing a variation of only \$112,669 in this immense sum. He then expressed the opinion of the Fund Commissioners, that it would be safe to add to the debt of the State three millions annually, for the next five years. This sum would have fulfilled all existing contracts, and have brought into use all the locks and aqueducts on the enlargement. Under the law of 1838, the State had already borrowed \$4,000,000 for that purpose; but they proceeded to authorize loans for the additional amounts of \$2,000,000 in 1840, and \$2,150,000 in 1841, making the sum total for the enlargement of \$8,150,000.

In the year 1841, a general depression of public stocks was experienced throughout the United States. The Ohio Six per cents were secured both by a pledge of the canal tolls of that State and a permanent authority of their state officers to levy a direct tax, should there be any deficiency. Such a provision could safely have been adopted in this State, and it would have silenced demagogues, who were loud in denying its pecuniary solvency. Protected by this provision, the Ohio Sixes sold in 1839 for 105 per cent. In April, 1841, they had fallen to 91 per cent. Within the same period, New York Six per cents fell from 97 to 85 per cent.

In the autumn of 1841, the anti-improvement party, headed by Mr. MICHAEL HOFFMAN, were in the ascendancy in both branches of the Legislature. They had the power to control the public works, by either suspending them, proceeding with them slowly, or stopping them wholly.

In January, 1842, two months after the election, the Ohio Six per cents fell to 67 per cent., and in March were sold at 52 per cent. The Five per cent. stocks of the city of New York, being the Croton Water Loan, which had been sold in April, 1841, at 85, fell to 75 in February, 1842, while the stock of the Bank of Commerce, a proverbially conservative institution, was depreciated in a still greater degree. The city of New York, instead of laying a tax to pay the interest of the Croton Stock, compounded and added it to the principal,—the policy being to expedite the work as rapidly as possible and render it productive, when a tax, if necessary, could be adjusted to make up the difference between the revenue and the interest. The city had expended about \$11,000,000—a little more than the state had expended on the Erie enlargement. The city was receiving nothing from the aqueduct—the state was receiving large and increasing annual revenues from the canal. The Croton Aqueduct had never been attacked

by party—and none of the inhabitants had any political object in destroying its public credit. Although feeling the effect of the general depression, the city issued seven per cent. stocks to the amount of \$1,900,000, and finished the work. Had the state policy been pursued, not a drop of water would have flowed through the aqueduct to this day.

By the last Report of the Commissioners of the Canal Fund, it appears that the whole amount of loans made for the enlargement of the Canal, up to the 30th of September, 1848, was \$10,122,000: of this amount, \$8,150,000 had been authorized previous to 1842. The balance, \$1,972,000, represents the whole amount due to contractors on the 29th of March, 1842, including the damages paid for rescinding their contracts.

MR. COLLIER, the Whig Comptroller, proposed to issue seven per cent. stocks for a moderate amount; but he was displaced, and Mr. FLAGG again succeeded to the office. No money was raised or sought for on any terms. The improvements of the public works were doomed, by the party now having the power, to be stopped, and they were stopped. The Canal from Albany to Buffalo was strewn with the wreck. The Legislature paid \$10,000 for removing materials which encumbered the ground most required for immediate use in Lockport; and the contractor, for that very work, obtained \$74,000 as damages for the rescinding of his contract.

Although the law contemplated stopping all the public works, yet there was provision made for a limited class of cases, in which the State officers should deem the work necessary to preserve or secure the navigation of the navigable canal, of which it was a part—or to preserve work already done, from destruction by ice or floods—or where the completion would cost less than the expense of preserving the part done. But even this clause was disregarded. The new Jordan level was an independent line of new canal 11 1-2 miles long, which dispensed with two locks, and united three levels in one. It had cost \$530,429, and required but \$42,178 to bring it into use. The old navigation was actually hazardous; but the State officers peremptorily refused to allow it to be completed.

The Schoharie creek, in times of floods, was dangerous for boats to cross, and often caused very serious delay to great numbers which, at such times, were obliged to wait for the stream to subside. To obviate this inconvenience a fine aqueduct, on ten or twelve stone arches, was completed, at a cost of \$179,000, and it required only the expenditure of \$37,617 to adapt it to the levels of the enlarged canal. This was also refused.

In 1844, Mr. FLAGG and his associates, the Canal Commissioners, made a Report, questioning the policy and necessity of enlarging

the canal at all, for the purpose of cheapening transportation. This was intended as a death blow to the canal enlargement. Mr. HORACE SEYMOUR, of Utica, an eminent Hunker, and Chairman of the Canal Committee, strongly opposed it, and succeeded in passing a law compelling the State officers to complete, and bring into use, the Jordan level and the Schoharie aqueduct—but under the pretence of a repair of the Erie canal. At the same session, the Canal Committee also showed the importance of enlarging, without further delay, the remaining 15 locks between Syracuse and Rochester. The cost, they showed, would not exceed \$1,350,000. Nothing was done. This measure would have been one of great value, for, by allowing boats of the increased size (of 105 tons) instead of 70 tons to pass between the Hudson and Buffalo, two boats would be able to carry as much as three of the present capacity. The number of miles run by the boats in 1844 was 6,740,740, which might have been diminished one third, or 2,246,913 miles, if vessels of the larger measurement had been employed. The economy of saving annually such an immense movement is obvious.

Mr. RUGGLES proceeds to show the amount of useless movement that the boats and cargoes of the canal have been and will be obliged to perform in the "seven years" of folly which have followed the Stop law. Under the Whig policy, the locks could and would have been finished, at the farthest, by the spring of 1844. The movement of boats, independent of those from the lateral canals, during the five years from 1844 to 1848, inclusive, has been 39,831,550 miles; and by adding 1849 and 1850, there will be a total of 56,175,450 miles. Of this, 18,725,150 could have been saved to the community. This loss falls chiefly on the agricultural classes. To the loss of individuals must be added the loss of interest, which in these seven years of delay falls upon the treasury. The enlargement had cost in 1842, including interest, at least \$13,000,000

To finish the locks and aqueducts in 1844, the further interest for two years would not have exceeded	\$1,600,000
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\$14,600,000

To which add cost of locks and aqueducts themselves, according to Mr. SEYMOUR'S Report,	\$1,400,000
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\$16,000,000

Loss by the seven years' delay—interest from 1844 to 1851 on the \$14,600,000 at simple interest,	5,932,000
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Making a total cost in 1851 of \$21,932,000

Add to this the loss for the useless movement of 18,725,150 miles, and we approach to something like a demonstrable amount of the loss that the public will have sustained by the Stop law at the end of the seven years! But when will the work be completed? The future appears as full of loss as the past. We are full of amazement at the infatuation which could have led the people to submit to a policy so suicidal.

In 1846 the three political parties in this State met in Convention to make a new Constitution. So long as the people are satisfied with the result, the Constitution will continue. Mr. HOFFMAN came into the Convention flushed with his triumph of 1842, and resolved to engraft its whole spirit into our organic law. But time and circumstances had dissipated, in a good degree, the clouds which had enveloped the public mind. After establishing a sinking fund out of the revenues of the canal to re-imburse the debt, he condescended, as an act of sovereign grace, to allow \$2,500,000 in the aggregate, to be applied at some future period, not to the enlargement, but to the "improvement" of the Erie Canal. Black River and Genesee Valley were left to their fate.

Mr. BOUCK had become Governor during the darkest hour of the Stop law, and was now a member of the Convention. Although the author of the Enlargement policy, he was elected Governor by the very party who were loudest in denouncing the policy to which his whole life had been devoted. It was a sorry sight to see him, in the Executive chair, sustaining the act of 1842; but such only was the tenure by which the office could be held!

In the Constitutional Convention of 1846 he had regained so much of his former tone, as to oppose Mr. HOFFMAN, and he was supported by most of the Hunkers. The result was, that the provision was finally adopted which secured the ultimate completion of the Erie Canal Enlargement, and the Genesee Valley and Black River Canals.

The "compromise," as it is termed, of the Constitution of 1846, consists in prohibiting the State from using its credit, except on conditions that virtually render it impracticable—for it assumes that the principal and interest of any debt hereafter to be incurred can only be discharged by means of direct taxes to be imposed on all the property of the State, and that the taxes shall be sufficient to pay the interest and redeem the principal in eighteen years. A tax of this kind would fall equally on those who are and those who are not benefited by an improvement. And, moreover, the people would scarcely submit to a tax for eighteen years, when the State possesses ample revenues to pay the interest and extinguish the principal of a debt. The Constitution, therefore, by adopting this provision, practically declares that no further improvement

shall be prosecuted in this State by means of its credit, except when coupled with a tax.

The only resource, then, which remains for the exigencies of the State, so far as its present or future public works are concerned, are the tolls of the Erie Canal, and it is therefore more than ever important that they shall be carefully watched and vigilantly cherished.

It is not a little edifying that those who most violently ridiculed the idea that the Canal revenues would suffice as a basis of a debt, are now comforting their friends on the lines of the Canals by the assurance that the tolls will not only pay off a debt of \$25,000,000 in about twenty years, but in addition, will afford ample means for proceeding with all suitable despatch, to complete the public works.

The sum annually set apart by the Constitution for extinguishing the principal and interest of the public debt, is \$1,650,000, to which is added \$200,000 on account of the ordinary expenses of the government. The remainder is to be divided between the Enlargement, the Genesee Valley, and Black River Canals, and it now is about \$1,000,000. This is the result of the "compromise." There is, however, one feature in the Constitution which the friends of improvement regard as important—it is that the State officers who manage the Canals and their revenues, shall hereafter be elective by the people.

At the opening of the Session of the Legislature in 1847, Mr. FLAGG announced the surplus tolls then applicable to the public works to be \$117,000.

In November, 1847, MILLARD FILLMORE was elected Comptroller, under the new Constitution. On examination of the public accounts, he discovered a sum of \$500,000 which he decided to be justly applicable to the completion of the public works. Mr. WASHINGTON HUNT succeeded Mr. FILLMORE, and he has discovered sums amounting to \$800,000, which, in his judgment, were also applicable to the public works. This makes a total of \$1,300,000.

With the moderate means the Constitution has left to our present faithful and patriotic officers, the locks of the Erie Canal may be finished and opened for the large boats by the spring of 1851. But the progress of deepening the channel and realizing its largest benefits, must necessarily be slow and painfully protracted.

During the last season, the products floating on the Canals amounted to 2,736,230 tons, exceeding by 1,100,000 tons the amount transported in 1843. The amount paid upon the Canal in 1848 for tolls and freight was \$5,800,000 dollars, and in the active season of 1847, \$8,400,000.

As an avenue of trade, it now outstrips every channel of commerce, natural or artificial, in the New or the Old World; it far exceeds the Rhine, which flows through the heart of Europe for 500 miles, and has its navigation carefully improved by the seven Sovereign Powers adjacent to its banks. Nor is its activity impaired by the long line of Rail Roads lying on its margin. The whole descending cargoes passing over the Rail Roads during the year 1848, were but 29,999 tons. In seven months of navigation of the same season, the Canal brought 1,180,000 tons to tide water.

The pecuniary amount of the Canal commerce, which in 1843 had reached 76,000,000 of dollars, ascended in 1848 to 140,000,000; and yet it was alleged in the Convention for making a Constitution, that the Canal revenues had about reached their culminating point. Mr. RUGGLES concludes his letter as follows:

"For once the writer of this hasty sketch has ventured to believe, and yet continues to believe, that an immense interior region of unequalled fertility, and of truly imperial extent,—the destined centre of American population, commerce and power,—as yet but in the early morning of its days,—lies just beyond our western border, and plainly within our reach,—and that it does not fall within the narrow ken of the men of the present day, fully to encompass the vast extent of its future wealth and greatness.

"To connect the ocean with a region thus wide spread and magnificent, by commodious, constant and ample means of intercourse,—to bind in bonds of mutual and ever-enduring interest and affection, the far distant portions of our favored land,—he has always believed, and yet believes to be the bounden duty of the government of this State, and the aim of the intelligent, generous, and patriotic Whig party, of which he claims to be one among the humblest members.

"But the Constitution of 1846, in a great measure, renders future effort needless and hopeless. We may proceed slowly and patiently, and in a reasonable time accomplish a useful portion of the work, but the full measure of its benefits can hardly be enjoyed by the present generation. The next will be more fortunate, and may be wiser—and when they come to perceive and enjoy its multifold, ceaseless, and ever increasing blessings, some curious inquirer into the past, wondering why it was so long delayed, may possibly look back and calculate the losses sustained by their fathers in the fury of party conflicts, by the madness of party leaders. If the history shall chance to furnish a salutary lesson, it will not be studied in vain."

## CRITICAL NOTICES.

THE engraving of Gov. Briggs, of Massachusetts, in the preceding number, purports in the lettering to have been taken from a daguerreotype by Whipple, of Boston, the same who took the portrait from which Richie's plate of the Hon. Daniel Webster was engraved.

This we are informed is an error. The daguerreotype of Gov. Briggs was taken by L. M. Ives, of Boston, and is declared by the engraver to be of the very best kind for artistic purposes. Mr. Richie's plate is a very faithful copy of it.

*Medicines, their uses and mode of administration, including a complete conspectus of the three British Pharmacopæias, an account of all the new remedies, and an Appendix of Formulae.* By J. MOORE NELIGAN, M.D., Edinburgh, &c., from the second Dublin edition. With additions, by BENJAMIN W. MCCREADY, M.D., Prof. of Materia Medica and Pharmacy in the College of Pharmacy of New York, &c., &c. New York: W. E. Dean, Publisher.

The high authorities, the Drs. Beck of this city and Albany, both of them Professors of Materia Medica, say of this work, "as a compact, yet comprehensive manual of the Materia Medica it is the best we know of in the English language." Dr. McCready is also commended by these gentlemen as a particularly competent editor of the American edition. We, of the laity, must, of course, rely upon such authority in calling attention to such professional works, which we do in this case with the utmost confidence.

On turning to our contemporary the "Boston Medical and Surgical Journal," we observe that it speaks in disparaging terms of the mechanical execution of this edition. We cannot account for this, as the copy of the book before us does by no means justify these strictures. It is very true that the book is not gotten up in that expensive manner common in other countries in issuing professional works, and which in works of this character is often a greater fault than merit; but the paper of this edition is good, and the type and printing as clear as the condensed form will allow. It has evidently been the intention of the publisher to bring the work within the rank of that extensive class of medical students whose means are too limited to pay much for ornamenting the useful.

*Orations and occasional Discourses.* By GEO. W. BETHUNE, D.D. New York. G. P. Putnam.

The publication of this book will gratify the minds of many persons who have crowded to listen to the eloquent sermons and discourses of this eminent divine. They will hasten to possess the words that have thrilled them with classic beauty, and those who have not heard with their own ears will be able to verify the fame of the orator. Dr. Bethune is probably most remarkable for the deep appreciation he has of classic literature. He shows by his poetic spirit and severe taste that he has not merely wandered by and admired these Pierian springs of literature, but has drunk deeply thereof.

*The inedited works of Lord Byron, now first published from his letters, journals, and other manuscripts in the possession of his son, Major GEORGE GORDON BYRON.* New York: G. G. Byron, 257 Broadway. R. Martin, 46 Ann street. New York.

This work is such as might be supposed a reprint. It is published by and for Major Byron in New York. We have heard a great deal of scandal about Major Byron and this book, but have neither leisure nor inclination to attend to it. All that we know absolutely about the matter is gathered from the work itself, which is its own explanation. There can be no doubt of its authenticity. The edition is exquisitely printed, the part of the editor in the first number, the only one as yet published, is well, not to say elegantly written, and the notices of Lord Byron's life and conduct are extremely interesting, placing him in a light very favorable to humanity, and satisfactory to those who admire his genius. One thing will give his readers a particular pleasure, namely, that his son has secured his memory from the worst of calumnies, from the charge of having abused and neglected his mother. That she and her son loved each other tenderly, and that he regarded his mother as the best friend he had on earth, is fully established by Major Byron in this first number. We wish all success to his truly worthy and honorable endeavors to rescue the memory of his father from the disgraces which have been heaped upon it. Major Byron is a citizen of Virginia.

*The Old World: or Scenes and Cities in Foreign Lands.* By WILLIAM FURNESS. Accompanied with a map and illustrations. New York: D. Appleton & Co. 1849.

A very agreeable series of sketches of travel through the principal cities of Europe. The book is written in a light and pleasing style, and carries on the reader easily and agreeably. The author is evidently one of the "good natured travellers," sees whatever is agreeable, and imparts his own feelings to his readers. He wrote because he liked to, and sought to please by the communication of his own pleasures. With one reader at least he has perfectly succeeded.

*Outlines of Astronomy.* By Sir JOHN F. W. HERSHELL. With plates and wood cuts. Philadelphia: Lee & Blanchard. 1849.

Of all the subjects of human thought and scientific investigation, Astronomy most palpably illustrates the glory of the intellect of man, whilst it at the same time most reveals to it the infinite power and wisdom of his Creator. The most plodding and industrious investigator in this transcendent science must be an eloquent writer or speaker, when he displays his studies to the world. Hence, it is the most popular of the Sciences. We need not commend the work before us, therefore, to the public. The author's name stands the first among a "glorious company," and a new work from him, giving the last results at which the wing of thought has reached in the profound of space will command universal attention. The book is well printed, and illustrated with the necessary diagrams.

*Physician and Patient.* By WORTHINGTON HOOKER, M.D. New York: Baker & Scribner: 1849.

We find such a "capital notice" of this work in the Boston Medical Journal, that we cannot do better than quote it. "This gentleman," it says, "has been for a considerable time making a kind of philosophico-ethical analysis of the mutual duties, relations, &c., of the medical profession and the community."

The following are among the subjects of the chapters of the book:—Uncertainty of Medicine; Skill in Medicine; Popular Errors; Quackery; Thomsonianism; Homœopathy; Natural Bonesetters; Good and Bad Practice; Theory and Observation; Mental influence of Mind and Body in Disease; Insanity, &c. We trust, for the sake of suffering and deluded humanity, that this delightful work may be extensively read, and serve as some shield against the many harpies who now live upon the decay they themselves in a great measure engender.

*Poems.* By AMELIA, (MRS. WELBY.) A new enlarged addition. Illustrated by original designs, by Robt. W. West. New York: D. Appleton & Co. 1850.

A most beautiful edition of poems, well worthy of the finest dress. *This is the seventh edition* of these. They are worthy of it. Unquestionable poetry they undoubtedly are. Of how many of the singers of the day can we say as much?

*The Monuments of Egypt.* By F. L. HAWKS, D.D. With notes of a Voyage up the Nile by an American. New York: G. P. Putnam.

As it is our intention to review at length this valuable work, we will content ourselves with calling the attention of our readers to it for the present. The enterprising publisher has made it a fit companion, in artistic execution, &c., to the beautiful edition of Layard's *Nineveh*. The numerous readers of that absorbing work, will be glad of this book of Dr. Hawks, as in a measure filling out a branch of the subject of Eastern antiquities, which the former author has made, we may almost say, a popular study.

*Memoirs of the Life of William Wirt.* By JOHN P. KENNEDY. 2 vols. Philadelphia: Lea & Blanchard. 1849.

As it is our bounden duty to display at large the beauties and merits of this excellent work and labor of love of Mr. Kennedy, we can only now say that we trust there is genuine patriotism enough to reward the author by a wide and appreciative reading of it. The readers of this Journal are not unacquainted with Mr. Kennedy's high qualities as a writer on politics as well as literature. Would that more of our statesmen would appreciate as he does, the duty of putting their thoughts in a more durable form than that of mere verbal utterance.

*The Puritan and his Daughter.* By J. K. PAULDING. New York: Baker and Scribner. 1849.

THE simple announcement of this work of Mr. Paulding, is all we have space for. It is gotten up in the beautiful style of printing, paper, and binding, customary with the publishing house, who issue it, and will, no doubt, be extensively read.

*The Architect: a series of original designs, for domestic and ornamental cottages, connected with landscape gardening.* Adapted to the United States. Illustrated by drawings of ground plots, plans, Perspective views, &c., &c. Vol. II. By WILLIAM RANLETT, Architect. New York: Dwight & Davenport. 1849.

This is the ninth number of Mr. Ranlett's elegant and useful work. It is a handsome quarto. The present number is finely illustrated by the author, whose style of architectural drawing is unusually fine. Gentlemen planning country houses, and builders generally, will find it well worth their study.

*Frontenac—A Metrical Romance.* By ALFRED B. STREET. New York: Baker and Scribner. 1849.

THIS new work of Mr. Street has been sent us too late for that examination which a proper notice would require. We perceive that it is reprinted from Bentley's London edition. Mr. Street's fine powers of description are so famous, and have been so fully analyzed in this journal already, that we need not now do so. This being an Indian romance, furnishes a fine opportunity for their display, which our author has made good use of. We commend the volume to all lovers of native poetry, and we have no doubt it will have a wide circulation.

*Evenings at Woodlawn.* By MRS. ELLET. New York: Baker and Scribner. 1849.

THIS is a charming reproduction of celebrated German legends. Those acquainted with the fine spirit and graphic style of Mrs. Ellet, will need no invitation from us to fall to at the rich entertainment she here sets before them.

*Lectures on Modern History, from the Irruption of the Northern Nations, to the close of the American Revolution.* By WILLIAM SMYTH, Prof. of Modern History in the University of Cambridge. Third American edition, edited by JARED SPARKS. Boston: Benjamin Mussey & Co. 1849.

WE are glad to perceive that a third edition of this valuable book is called for. It is an evidence that the study of history is not declining in the Republic. These lectures are probably the best guide to the student extant.

Their particular merits are so ably set forth by Mr. Sparks in his preface, that we need only refer those unacquainted with them to it. Mr. Sparks is an authority on the subject, from before whom we reverently stand aside.

*The Excursion—A Poem.* By W. WORDSWORTH. New York: C. S. Francis & Co. 1849.

THIS is a beautiful edition of the great poem of Wordsworth, pronounced by Mr. Dana, probably the finest critic of our time, to be "the noblest poem since Milton's *Paradise Lost*." We commend the convenient form of the book to the imitation of our publishers. Our great authors would be more read, were they in forms to be carried about with us in this locomotive age.

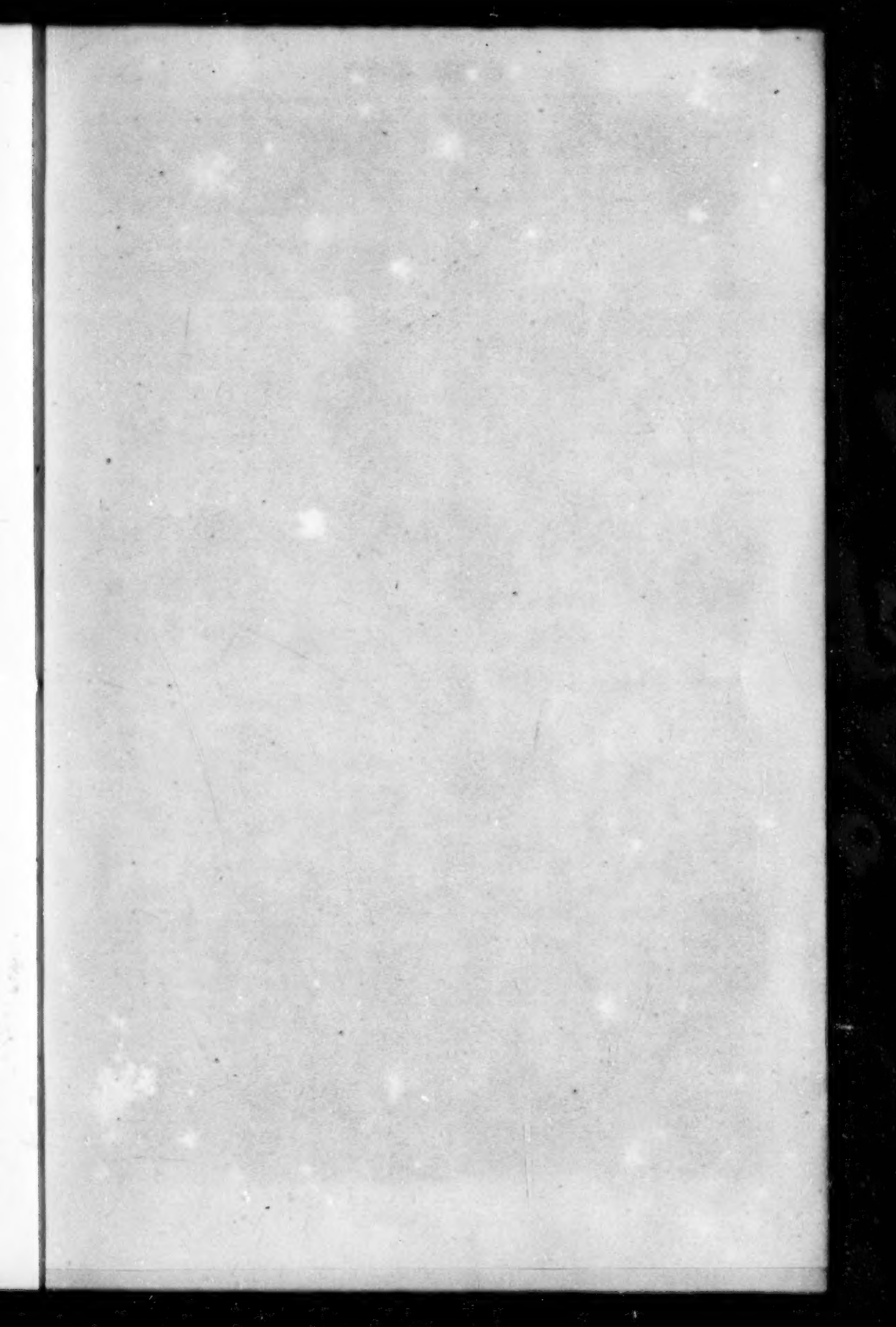
*Los Gingos.* By LIEUT. WISE, U. S. N. Second edition. New York: Baker and Scribner. 1849.

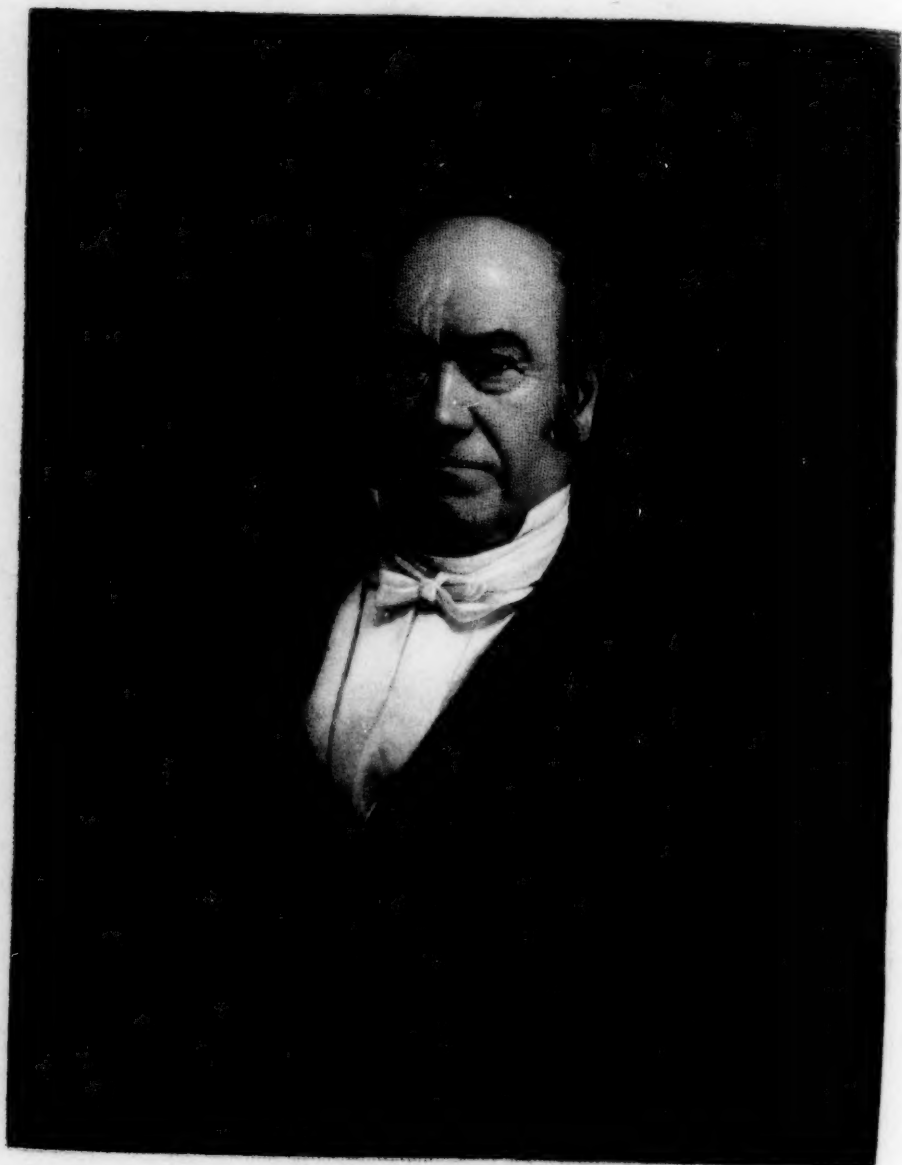
THIS is a true sailor's yarn, very piquant and picturesque. It has, before we could notice it, reached a second edition, for every body delights in narratives of adventures, and this is the most charming we have seen for many a-day. Our space forbids more on it at present; but we must recur to it again for the entertainment of our readers.

*Half-hours with the best Authors.* By CHARLES KNIGHT. Vol. IV. New York: John Wiley. 1849.

WE know of nothing of the kind more happy in its conception than this labor of love of Mr. Knight. For each day of the week we have here a choice half-hour's reading, selected by a truly discriminating friend. Every seventh one is appropriated to a sacred topic, so that it may serve for the Sunday's edification. Can any one imagine a better gift to a household than to place these four beautiful, cheap and good volumes, within the reach of all its members.

The number of books sent to us by publishers this month was larger than could be properly noticed. Instead, therefore, of merely giving a list of their titles, we have noticed a part, reserving the remainder for the January number. A notice of the new edition of Webster's Dictionary will be given.





LAGUERRE BY BRADY — ENGP BY A. H. RITCHIE.

*T. E. M. I. N. G.*

SECRETARY OF THE HOME DEPARTMENT

*By the Hon. Sec. of the Interior*